

# 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: Latvia

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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 Latvia the CMPF partnered with Dr. Anda Rožukalne (Riga Stradins University), 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).*

<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 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.** Latvia covers an area of 64.6 thousand square kilometers. The number of inhabitants is gradually decreasing; in 2022, it was 1 875 757 people ([CSB/LETA, 2022](#)). At the beginning of 2023, one million 883 thousand inhabitants lived in Latvia, which is 7.3 thousand more inhabitants than a year ago. The population increased in 2022 mainly due to the immigration of Ukrainian refugees (44 367 total in December 2022) ([UNHCR 2023](#)), according to the data of the Central Statistical Bureau ([Official Statistics Portal, 2023, June 1](#)).
- **Languages.** According to the [Constitutional Law](#), Latvian is the only official state language of Latvia. The second most used language in Latvia is Russian – about 35% of the population belonging to different ethnic groups use Russian daily.
- **Minorities.** Minorities are not officially defined in the Latvian legislation. However, the country is heterogeneous in terms of the culture and languages spoken; thus, media regulation provides conditions and a budget for the creation of media content for minorities. PSM provides content for national minorities in Russian, Ukrainian, and Latgalian (east Latvia regional language) and supports programs on the Livonians' (historical minority) language and culture. Most of the Latvian population in 2022 are Latvians (62.9%), 24.2% Russians, 3% Belarusians, 2.2% Ukrainians, 1.9% Poles, 1.1% Lithuanians, 5.4% representatives of other ethnic groups ([CSB/LETA, 2022](#)).
- **Economic situation.** Due to the full-scale invasion of Russia in Ukraine, uncertainty and rapid price increases are slowing down the economy. Latvia's GDP grew by 2% in 2022 ([Ministry of Economy, 2023](#)). This is at least three percentage points less than predicted before Russia's invasion of Ukraine. The great uncertainty affects both the consumption rates and the future of companies and foreign trade. The average annual inflation in Latvia in 2022 was 17.3%, according to the Central Statistics Bureau ([Ministry of Economy, 2022](#)). In 2022, the situation in the retail sector was largely influenced by the easing of the Covid-19 pandemic and the complete lifting of trade restrictions from April 1, 2022. The rapid rise in prices did not significantly affect the activity of buyers and it remained unprecedentedly high, which was most likely determined by the increase in incomes and state support for mitigating the rise in prices of energy resources. In general, retail turnover in 2022 was 4.3% higher than in 2021 ([Ministry of Economy, 2023, January 27](#)).
- **Political situation.** After the parliamentary elections of October 1, 2022, in which 59.41% of the eligible citizens participated ([CVK, n.d.](#)), seven parties entered the Latvian Parliament. Three political associations formed the coalition with 53 seats: New Unity (right-of-centre) with 26 seats, the United List (conservative) with 16 seats, and the National Alliance (national conservative) with 13 seats. The Union of Greens and Farmers (right-of-centre) (16 seats), For Stability! (populistic, centre) (11 seats), Progressives (left-of-centre) (10 seats), and Latvia First (populistic, conservative) (9 seats) remained in opposition. The government was headed by the Prime Minister of the previous government, Krišjānis Kariņš (New Unity).
- **Media market.** The importance of digital media and social networking sites is growing in the daily information use of Latvian inhabitants. According to 2022 survey data (N=1949, 16 - 75) ([NEPLP/Latvijas Fakti, 2022](#)), 88% of Latvian residents use Internet news portals (59% daily) and 84% use social media (66% daily). The use of television (74%) and radio (76%) decreased slightly.

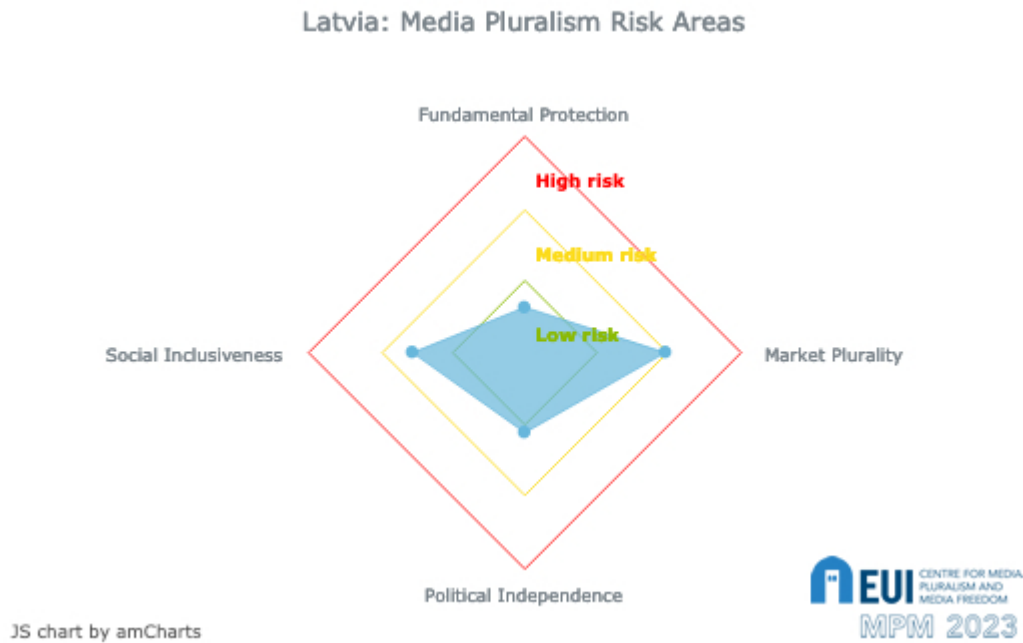
Consumption of the press is decreasing: 62% of the population reads it. Video streaming services are used by 37%, and audio streaming services by 35%. Most of the population (84%) use media in Latvian (young people aged 16-30 at 91%, representatives of minorities at 58%); 60% of the population use media in Russian (38% – young people; 95% – representatives of minorities), media in English are used by 34% (62% of young people; 22% of minority population), 4% of the population use media in other languages. The most popular social networking site in Latvia is Facebook (META), which is used by 82% of the population (65% every day), YouTube is used by 78% (41% every day), and 82% of Latvian residents use the messaging application WhatsApp. Among the professional media, the most used are PSMs (Latvian Television, 68%; Latvian Radio, 63%; PSM news portal LSM.lv, 39%) and commercial media news portals (Delfi 64%, Tvnet 48%). Trust in public media is gradually, albeit slowly, increasing: 56% trust Latvian Television and 53% trust Latvian Radio. This is higher than the EU average of 48% (Eurobarometer, 2022). According to a Latvian Facts survey, the influence of Russian-language media is decreasing in Latvia: 42% (24% of young people, 76% of minorities) of the population are interested in media content in Russian, 54% (75% of young people, 19% of minorities) are not interested. In 2022, major changes occurred in the structure of electronic media in Latvia, as many Russian state-controlled media (TV channels and websites) were blocked for national security reasons. Before the ban, 46% of the population had used them (26% of young people, 71% of minorities). In response to the question “Do you miss blocked Russia’s channels?” 26% answered that they did or rather did (12% of young people; 48% of minorities) ([NEPLP/Latvijas Fakti, 2022](#)). In 2022, compared to 2021, the volume of the advertising market has increased by 11.8%, reaching 84.4 million euros and finally exceeding the volume of the year before the Covid-19 pandemic, 2019. In 2022, newspaper advertising revenues proportion was 2.1%, Internet advertising – 25.2%, TV – 43.1%, radio – 13%, magazines – 4% ([LRA, 2023, February 23](#)).

- **Regulatory environment.** The Law on Electronic Communications is in force ([Latvijas Vēstnesis, 144, 28.07.2022](#)), which stipulates that the National Electronic Mass Media Council (NEMMC), after evaluating the information provided by state authorities, has the right to make decisions restricting access to websites available in the territory of Latvia which distribute content that threatens or may threaten national security or public order and security, by denying access to the domain name or Internet Protocol (IP) addresses of these websites (Article 112). NEMMC, in accordance with the Electronic Mass Media Law (Article 21), has the right to cancel broadcast permits or retransmission permits, to initiate the suspension and termination of electronic media for various violations, including crimes against the state, if they threaten national security or public safety and order, as well as directly or indirectly, fully or partially owned or controlled by a person who is subject to international or national sanctions in accordance with the Law on International and National Sanctions of the Republic of Latvia ([Latvijas Vēstnesis, 118, 28.07.2010](#); [Latvijas Vēstnesis, 31, 15.02. 2016](#)). In addition, due to the active flow of migrants to the EU from Belarus, a state of emergency in four regions of Latvia neighbouring Belarus has been extended several times since August 2021 into 2022.
- **Impact of Russia’s full-scale invasion of Ukraine.** Russia’s full-scale invasion of Ukraine affected all aspects of Latvia’s life: the political environment and election results, the economic situation, the climate of ethnic relations, the social sphere, and media policy. In light of the developments of Russia’s full-scale invasion of Ukraine, the dismantling of monuments glorifying Soviet rule began in Latvia, which provoked reactions from various groups of society ([Pavlovs, 2022, September 28](#)). By increasing the role of the Latvian language, the media policy has changed; therefore, in the declaration of the new government in 2022, it was mentioned that there would be no increase in funding for Russian-language media from taxpayer funds ([Cabinet of Ministers, 2022, December 14](#)). There is a relatively large

Russian-speaking minority in Latvia; therefore, society is generally divided according to the attitude toward the war in Ukraine. In June 2022, surveyed Latvian residents were asked to express their attitude toward Russia's invasion of Ukraine, and 73% of the study participants indicated that they condemned Russia's actions in Ukraine (including "strongly condemn" – 65%). 13% of respondents said that their attitude was neutral, and 5% that they supported Russia's actions in Ukraine (including "definitely support" – 2%). Among Latvian residents who speak Russian in their families, 40% condemned Russia's actions in Ukraine, but the majority of them (60%) did not support the demolition of the Soviet monument in Victory Park, Riga ([SKDS/LSM, 2022, July 7](#)). At the same time, a negative attitude towards Russia is growing in society ([Delfi/Leta, 2022, September 20](#)), 65% of Latvian inhabitants have made donations with the aim to support Ukraine and refugees (LSM, 2023, January 20). Latvia's total military aid to Ukraine amounts to approximately 1% of GDP, or 370 million ([Kincis, 2023, January 23](#)). After Russia's full-scale invasion of Ukraine, many independent Russian media moved their activities to Latvia, forming the media in the exile community in Riga. Stockholm School of Economic Centre for Media Studies has created a new organisation Media Hub Riga, which has provided support for 29 Ukrainian, Russian, and Belarusian media organizations (516 media journalists and their family members) ([Mediacentre, 2023](#)).



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



Although Russia's full-scale invasion of Ukraine affected Latvian media policy and regulation in 2022, the level of media pluralism in Latvia has generally improved, as the risk score has decreased in all MPM areas, except for Market Plurality.

**Fundamental Protection** area scores low risk (21% compared to 27% in 2021) owing to the robust regulatory framework for **Protection of freedom of expression** (36% risk score), the favourable situation regarding the **Protection of right to information** (13% risk score), and the **Universal reach of traditional media and access to the Internet** (15% risk score). However, the indicator **Journalistic profession, standards, and protection** shows a medium risk (40%) because journalists receive regular threats online, and strategic lawsuits against public participation (SLAPPs) are not monitored in Latvia. The indicator **Independence and effectiveness of media authority** (15% compared to 27% in 2021) has improved. However, the selection of members of the regulatory body (National Electronic Mass Media Council (NEMMC)) can still be influenced by politicians' agreements.

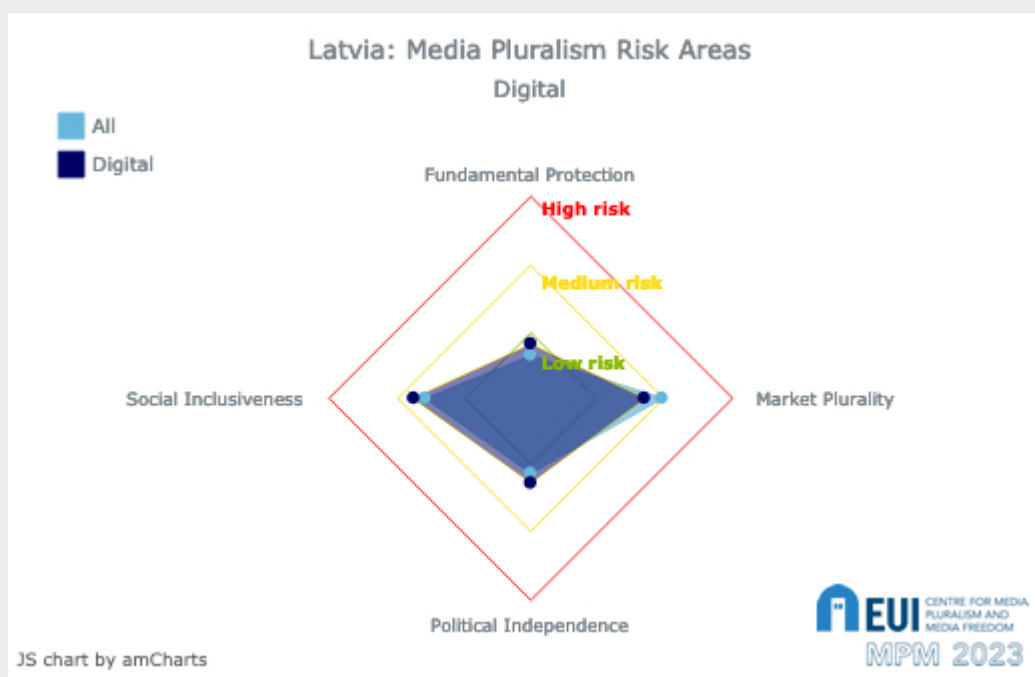
The situation in **Market Plurality** area has not changed, scoring the highest level of medium risk (65%). The main risks in this area come from the lack of plurality in media markets, and the commercial and owners influence to editorial independence. The indicator on the **Plurality of media providers** makes up 96%, and **Plurality in digital markets** also shows a very high risk level (94%). Since Latvian media regulation and self-regulation do not provide any mechanisms protecting journalists in case of changes in ownership or editorial line, a high risk is associated with **Editorial independence from commercial and owners influence** (78%, same risk level as 2021). The indicators of **Media viability** and **Transparency of media ownership** were rated as low risk (both 29%), with a decrease in the risk level compared to the previous MPM implementation.

**The Political Independence** area scored a medium risk (37%) level. The **Political independence of the media** (44%) is not stable, because in Latvia there is no law that regulates any relations between media owners and ruling parties, partisan groups, or politicians. The **Editorial autonomy** indicator shows a medium risk (50%) level. Media laws or self-regulatory measures still do not guarantee autonomy when appointing and dismissing editors-in-chief, but in this period, there is no information about problems related

to the independence of media outlets' chief editors. Journalists' self-assessment of opportunities to work independently was high, as per Worlds of Journalism Study data ([Rožukalne & Ozoliņa, 2022](#)). **State regulation of resources and support to the media sector** indicator scores low risk (33%), which is related to the fact that Latvia has a stable media support system. However, local and regional media do not receive support for investments to improve their capacity and technology. Even more, “state advertising” is not defined in Latvia. Substantial funds from state institutions have been invested in global platforms through information campaigns, but precise data on this spending is lacking. The **Independence of public service media** was rated as low risk (33%). These data show that the PSM reform in 2021 has improved its independence. However, the level of PSM funding is still one of the lowest in the EU, and it is not free from political influence. Due to the developed pre-election regulation, the indicator **Audio visual media, online platforms and elections** shows a low risk situation (25%).

In the area of **Social Inclusiveness**, a significant improvement was observed in 2022. The risk level has decreased from 60% in 2021 to 52% in 2022. Due to the diverse content offered by PSM, the indicator that assesses the **Representation of minorities in the media** improved (low risk 22%), the situation is better in **Media literacy** (53%), and **Protection against disinformation and hate speech** (66%). The situation has not changed regarding **Local/regional and community media** indicator data (58%) as barriers to the economic viability of local media are very complex. No improvements have been found in the indicator of **Gender equality in the media** (62%) because PSM has not established gender equality policies and women are not sufficiently represented in PSM discussions on socio-political issues.

### Focus on the digital environment



Digital environment indicators' level is close to general MPM data.

As the digital environment is subject to universal FoE regulations, Fundamental **Protection** indicators score low risk (26 %). General Laws protect the FoE, which is explicitly defined in Constitutional Law, and particular norms apply to the online environment. There are no specific FoE regulations for digital or online environmental development. The Freedom of the NET 2022 report ([Freedom House, 2022](#)) does not include information on Latvia. The State generally refrains from arbitrary filtering, monitoring,

blocking, and/or removing online content. However, it is important to note that in 2022, the Parliament of Latvia approved amendments to the Law on Electronic Communications, which gave the right to the National Electronic Media Council (NEMMC) to restrict Internet websites whose content threatens national security or public order and security by denying access to the domain name or Internet Protocol (IP) addresses of these websites. To make such a decision, the opinion of not only the NEMMC, but also of another competent institution is required, as well as the right to challenge these decisions in court is provided for. The adoption of these amendments was prompted by Russia's invasion of Ukraine and EU sanctions.

**Market Plurality** domain evaluation shows a medium risk situation (56%). There are no specific regulations for Latvia's digital media companies in terms of publicly accessible data on beneficial and ultimate owners. The Law on the Press and Other Mass Media provides general media regulations that require ownership information disclosure. Similarly to other companies, according to Law on the Prevention of Money Laundering and Terrorism and Proliferation Financing ([Latvijas Vēstnesis, 116. 30.07.2008.](#)), digital news media outlets must provide information about their beneficiaries. Some digital media publish information about owners on their websites. Since 2020, ownership data are available free of charge in the database of the Register of Enterprises.

**Political Independence** indicators scored medium risk (41%). According to Pre-election Communication Law, all pre-election communication regulations include online electoral campaigns. The Corruption Prevention and Combating Bureau is responsible for monitoring and reporting political campaign expenditures on online platforms. The Bureau collects all data, monitors the situation, and provides regular reporting in a transparent manner. There are many cases in which political organisations have been sued in cases of violation of online campaigning-related pre-election rules. Monitoring and investigation of cases of law violations are effective. All pre-election communication regulations provide for a clear declaration of the financial aspect of online political advertising. However, there is a lack of information on the techniques used on social networking platforms.

The Data State Inspectorate (DSI) is responsible for monitoring the use of individuals' personal data by political parties for electoral campaigning purposes. The DSI follows the legal rule and guidance of the European Commission, and regularly informs citizens about the activities and rights of citizens during election campaigns. Before the 2022 parliamentary elections, the Data State Inspectorate developed guidelines for data protection.

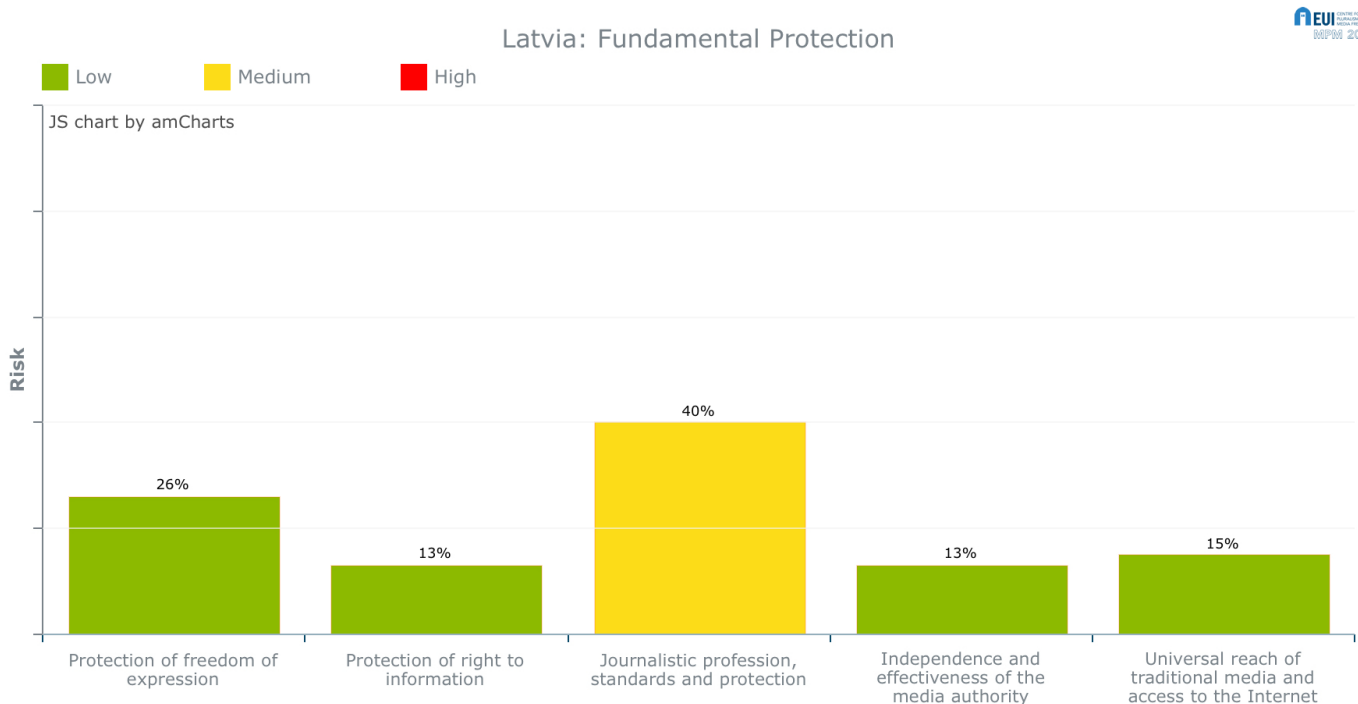
The **Social Inclusiveness** area is associated with a medium risk situation (58%) as there is a well-developed universal legal framework regarding laws or policies that aim to counter hate speech, but there is no specific regulation focusing on online hate speech. However, there are many barriers, for example, a lack of instruments, a long investigation process, and long court hearing processes that make it complicated to counter online hate speech in Latvia. Although there are mechanisms in place to report online hate speech, information in the media shows that online hatred, if reported to the police, is not always considered dangerous if no real harm has been done to the person. This makes it difficult for victims of online harassment to assert their rights and motivate them to continue their activities.

In Latvia, several institutions have been involved in activities related to strategic disinformation

prevention. However, after long public discussions in 2020 and 2021, Latvia has not created a special regulation for the prevention of disinformation, deciding to use the existing regulations. The only sustainable fact-checking organisation is the RE:Check initiative created by the investigative journalism center RE:Baltica. Fact-checking content appears weekly on public service radio and the PSM webpage LSM.lv. In addition, there are several fact-checking and disinformation-countering initiatives in media, which are annually financed by the Media Support Fund to motivate commercial media to include fact-checking materials in their content. No regular disinformation research projects have been implemented in Latvia in 2022. However, some examples show that the research of disinformation is fragmented.

### 3.1. Fundamental Protection (21% - 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.



Compared with 2021 (MPM2022), the level of risk in this area slightly decreased in all indicators. The stable situation determined the low risk assessment with regard to the **Protection of freedom of expression**, which includes compliance with international standards. Latvia has transposed the EU Whistleblowing Directive (Directive 2019/1937); this process was followed by the adoption of a new Whistleblowing Law, which entered into force in 2022 ([Latvijas Vēstnesis, 2022/24B.1](#)). In 2022, all indicators scored low risk, except for the indicator **Journalistic profession, standards, and protection** which showed a medium risk situation.

The Indicator **Protection of freedom of expression (FoE)** scored a low risk (26%). Latvian FoE regulation meets international standards, as Latvia has adopted all international human rights and FoE agreements. FoE is clearly defined and guaranteed in the Constitutional Law. The same norms also apply to online environments. The restrictions on freedom of expression are clearly defined in the Constitutional Law, and these restrictions pursue a legitimate aim according to those foreseen in Article 10(2) of the European Convention on Human Rights (ECHR).

The State generally refrains from arbitrarily filtering and/or monitoring and/or blocking and/or removing online content. However, in 2022, a new regulation was adopted, which posed a threat to FoE and concerned the possibility of blocking Internet sites. Regarding the Russian invasion of Ukraine, the Parliament of Latvia approved amendments to the Law on Electronic Communications ([Latvijas Vēstnesis, 144, 28.07.2022](#)). Amendments to the Law on Electronic Communications stipulate that the National Electronic Mass Media Council (NEMMC), after evaluating the information provided by state authorities, has the right to restrict access to websites available in the territory of Latvia which distribute content that threatens or may threaten national security or public order. To make the decision, the opinion of not only the

NEMMC but also of another competent institution is required, as well as the right to challenge these decisions in court is provided. Due to Russia's invasion of Ukraine, changes to the Electronic Mass Media Law (EMML) were adopted on March 7, 2022 ([Latvijas Vēstnesis, 118, 28.07.2010](#)), to reinforce NEMMC's obligation to monitor the compliance of electronic media content with national security interests.

The Council explains its actions in the context of military aggression in Ukraine which threatens the security of the Republic of Latvia, according to NEMMC ([NEPLP, 2022, July 6](#)). When making a decision on the restriction of certain electronic media, the Council bases it on Article 21 of the Electronic Mass Media Law (EMML). The Council has the right to make a decision on the prohibition of the distribution of a channel whose jurisdiction undermines or threatens the territorial integrity, sovereignty, or national independence of another country. The need to ensure stability in these aspects justifies the restriction of individual fundamental rights, as per the NEMMC. The Council claims it highly values freedom of speech; however, in specific cases, freedom of expression must be limited to protect the rights of other people, the democratic state apparatus, and the security and well-being of the state and society. In November 2022, there were 743 domains on NEMMC's restricted website list ([NEPLP, 2022, July 22](#)). In 2022, the NEMMC restricted 169 websites because the distributed content threatened or may threaten national security or public order, according to the NEMMC member Ieva Kalderauska.

The Indicator "**Protection of right to information**" shows a low risk (13%). Access to information is regulated by the Freedom of Information Law ([Latvijas Vēstnesis, 334/335, 06.11.1998](#)). At the beginning of 2022, a new Whistleblowing Law transposing the EU Whistleblowing Directive was adopted in Latvia ([Latvijas Vēstnesis, 2022/24B.1](#)). The annual report on whistleblowing statistics in Latvia (2021) shows that out of the 527 applications processed as whistleblowers' reports, 153 were identified as such (Valsts Kanceleja, 2022).

Latvian Administrative Violations Code ([Latvijas Vēstnesis, 225, 14.11.2018](#)) regulates appeal mechanisms and conflicts related to state institutions and other entities or individuals, including information accessibility issues. Although there is a strong legal basis that protects the right to access information, journalists covering socio-political issues complain about the limitations of information access from state institutions and authorities regularly ([Auzāns, 2021, May 12](#)).

A recent example relates to the pre-election period in the fall of 2022 when the Latvian Prime Minister Krišjānis Kariņš failed to respond to many invitations to participate in media discussions. For several months, several media invited Kariņš to participate in programs intended to discuss the Prime Minister's responsibility for the government's decisions, as well as to determine the opinion of the head of government on important events and changes in the society. However, the Prime Minister refused to participate for a long time, even though the media offered a convenient time for the conversations. The Association of Latvian Journalists issued a call to respect the work of journalists and not avoid a democratic process in which journalists have the right and duty to ask questions to the head of government, who is obliged to answer these questions ([LSM.LV, 2022, September 9](#)).

The arbitrary nature of the availability of information is evidenced by a case in which the Investigative Journalism Centre "RE:Baltica", not receiving information from the Riga City Council, appealed to the Administrative Court. As a result, the Administrative District Court in Riga partially satisfied the claim of the journalists of "RE:Baltica" against the Riga City Council for not providing information to the media ([RE:Baltica, 2019, April 18](#)). The journalists wanted to receive information on how the money allocated to the municipal foundation "Riga.lv" was being spent. The City Council did not provide information under the

argument of commercial secret and duty to protect Riga.lv employees' private lives. The Administrative Court stated that journalists requested information about the remuneration of employees for objective reasons and ordered the information to be disclosed by the municipality.

The indicator **“Journalistic profession, standards, and protection”** shows a medium risk (40%). The Association of Latvian Journalists (ALJ) actively protects editorial independence and supports journalists who respect professional standards. The organisation is active in public discussions on media and journalists' independence and professionalism. The problem is that only a small proportion of media professionals are members of one of the professional NGOs. Out of approximately 2,000 Latvian journalists ([Šulmane & Uzule, 2018](#)), in March 2023 there were 130 ([LŽA, 2023, March 31](#)) members of the ALJ. Although ALJ has established a Legal Assistance Centre, actively defends the interests of journalists, and established the annual award for excellence in journalism, the small number of members can be explained by an underdeveloped tradition of participation in professional associations (Dimants, 2022). It is characterised by weak and competing professional organisations, and the Latvian Journalists' Union, transferred from the Soviet era, lacks activity, although it has the status of a trade union. Some of the employees of PSM organisations have established their own trade unions. Another explanation could be related to the self-perception of journalists' professional identity ([Šulmane, 2011](#)). The professional environment of Latvian journalists is characterised as individualistic, more focused on respecting the interests of media owners and following the audience's demands, keeping professional discourse on the back burner.

According to the Worlds of Journalism Survey in Latvia ([Rožukalne. & Ozoliņa, 2022, May 27](#)), about 80% of journalists and editors have a permanent job contract but their salaries are low. Approximately 50% of media professionals' salaries were lower than the average wage in the country by 2021. In 2022, after Russia's full-scale invasion of Ukraine, journalists admitted that certain politicians who publicly attacked journalists gave the impression that during the war, professional journalism had a duty to explicitly defend the state's position rather than offer professional content, according to Jekaterina Safronova, editor-in-chief of the public service media's Russian-language platform rus.LSM.lv.

Journalists often face physical threats in the online environment. At least one in three Latvian journalists has encountered name-calling, belittling, and public discrediting, according to data from the WJS Latvia ([Rožukalne, & Ozoliņa, 2022, May 27](#)). Seventy-eight per cent of respondents in Latvia said that they have been subjected to humiliation or hateful speech (18% have encountered it often or very often), 72% have experienced public discrediting of their work (13% often or very often), 14% of respondents have encountered persecution. Thirty-six per cent indicated that they experienced other types of threats or intimidation, 48% said their personal morality was questioned, 23% of respondents' data were used for fabricated or manipulated stories, 24% experienced that their personal information had been distributed, 24% experienced legal actions against them because of work, and 12% experienced terrorizing and intimidation. Regional journalists are attacked less frequently.

In 2022, there was a new court case regarding the persecution of a journalist. On March 11, 2022, the court announced a summary judgment in the criminal case regarding the persecution of the journalist Inga Sprīņģe ([Delfi, 2022, March 3](#)). The perpetrator Jānis Sondars was found guilty of the charge under Article 132.1 of the Criminal Law and was sentenced to imprisonment for two months. Although there are one or two cases every year that can be classified as strategic lawsuits against public participation (SLAPPs), there is no specific anti-SLAPP regulation or monitoring in Latvia.

The indicator “**Independence and effectiveness of media authority**” scores a low risk (13%). In there are only authorities that supervise audio-visual media segments, not the press or internet media. Since August 2021, two media authorities have been involved. NEMMC performs the functions of an electronic media regulator, while Public Electronic Mass Media Council (PEMMC) is the owner of capital shares of PSM (Latvian Television & Latvian Radio).

The NEMMC, which is a media regulatory body, members’ appointment procedure is partially effective. De jure, as stated in the EMLL, the appointment procedures of the media authority NEMMC are democratic, transparent, and objective. In fact, the process is not free from political influence because party factions agree on candidates, evaluating their proposed visions for the development of a media regulator.

The indicator “**Universal reach of traditional media and access to the Internet**” scores low risk (15%). In 2022, broadband coverage had improved. Broadband covered 93.9% of households, 90% subscribed to broadband, and the Internet speed was 62.55 Mbps. The principle of net neutrality was respected. Public service media (PSM) coverage had also improved in 2022. According to PSM documents, in 2022, the availability of Latvian Television in the coverage of the free broadcast network was ensured in 99.77% of the territory of Latvia, covering 99.87% of the country's population. PSM reached 82% of the Latvian population. Latvian Television accounts for 55%, Latvian Radio for 48%, and news portal LSM.lv for 43% of the population ([Latvijas Sabiedriskie Mediji, 2022](#)). In 2022, the availability of 5G internet in Latvia developed rapidly ([Kanberga, 2022](#)).

## Focus on the digital environment

**Fundamental protection** scores for the digital environment show a low risk situation, but the risk level is higher than the score of general environment evaluation. Freedom of expression (FoE) is clearly defined in the law and particular norms apply to the online environment. FoE is guaranteed by Constitutional Law, Article No. 100: everyone has the right to freedom of expression, which includes the right to freely receive, keep, and distribute information and express one’s views. Censorship is prohibited.

FoE restrictions are provided under Article No. 116. The rights of persons set out in Articles 96, 97, 98, 100, 101, 102, 103, 106, and 108 of the Constitution may be subject to restrictions in circumstances provided for by the law to protect the rights of other people, the democratic structure of the State, and public safety, welfare, and morals. Based on the conditions set by Article 116 of the Constitution, restrictions may also be imposed on the expression of religious beliefs.

The Freedom of the Net 2022 report by Freedom House does not include information on Latvia. The State generally refrains from arbitrarily filtering and/or monitoring and/or blocking and/or removing online content. However, it is important to note that in 2022, a new regulation was adopted, which represents a potential threat to FoE and concerns the possibility of blocking internet sites. Although Latvian Meta users regularly report that their accounts have been restricted for a specific time following reports from other users, for example, to engage in discussions about the Ukrainian war and defending Ukraine's position, Meta Adversarial Threat Reports for 2021 and the first two quarters of 2022 does not contain information related to Latvia.

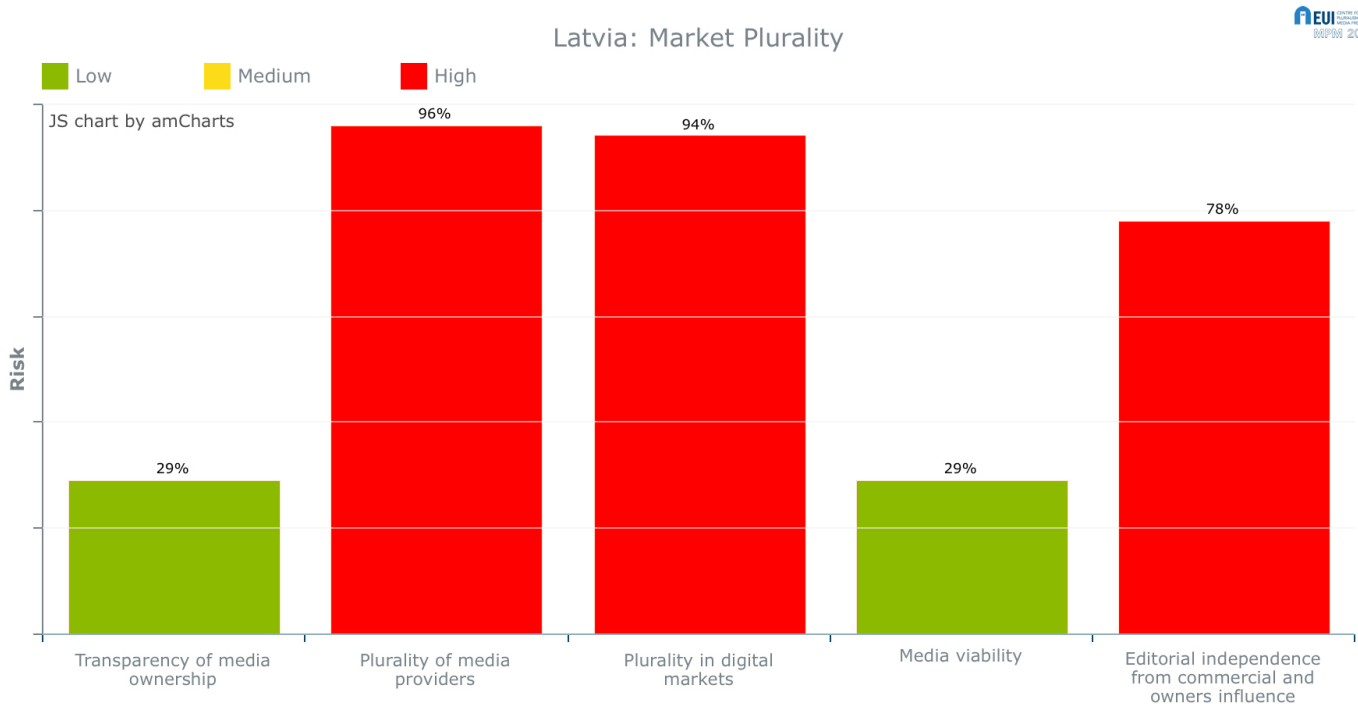


Twitter's transparency report on the situation in 2021 includes one report about Latvia from a reliable NGO about a tweet that included racial discrimination.

On March 12 this year, amendments to the Law on Electronic Communications entered into force, which stipulates that NEMMC, after evaluating the information provided by state authorities, has the right to make a decision restricting access to such websites available in the territory of Latvia which distribute content that threatens or may threaten national security or public order and security by denying access to the domain name or Internet Protocol (IP) addresses of these websites. To make such a decision, the opinion of not only the NEMMC but also of another competent institution is required, as well as the right to challenge these decisions in court. The adoption of these amendments was facilitated by Russia's invasion of Ukraine and EU sanctions.

### 3.2. Market Plurality (65% - medium 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** area indicators show the highest degree of risk compared to other areas (65%). Three indicators show a high risk level, and two are at a low risk level. Although the average risk assessment has not substantially changed compared to 2021, it has increased in two indicators - Plurality of media providers and Plurality in digital markets.

**Transparency of media ownership** scored a low risk (29%). It has improved compared to the level of the previous assessment when it scored medium risk. After the regulatory changes in 2021, the data of media companies of all segments (press, electronic, and digital media) on current media owners are available free of charge in the database of the LR Register of Enterprises. In practice, when registering a media company, data on media owners and beneficial owners must be provided to the Register of Enterprises. Electronic media must also provide this information to the National Electronic Mass Media Council (NEMMC), which publishes information on owners of licensed media on its website. At the same time, the Latvian regulation does not provide information on the owners of joint stock companies. The transparency of media owners has improved; however, this may be limited by the decision of the EU court to deny information about the true owners of companies, thus reducing the transparency of media owners as well ([LŽA, 2022, November 29](#)).

The indicator on **Plurality of media providers** indicates a high risk situation – 96% (86% in 2021). The regulation of the media market does not provide thresholds for the limitation of horizontal or cross-media concentration. The concentration situation can be evaluated only in case of the merger of media companies when the Competition Council assesses whether the market share of electronic media does not exceed 35%, and the market share of other media does not exceed 40%, as stipulated by the Competition Law

([Latvijas Vēstnesis, 151, 23.10.2001](#)). In terms of horizontal concentration analysis, there is a lack of data on newspaper market concentration in 2022. The same applies to the market share of the top 4 media owners across different media markets. There are no limits to the number of licences, audience share, circulation, etc. for the press and Internet media market. The market share of the top 4 online media is 63%, whereas the audience share is 68%. There is a universal regulation in the Law of Competition that defines a dominant position on the market at 40% of the market share for one market participant. Regulation of the audiovisual media segment concentration is stronger where the dominant position starts from 35% of the market share. The evaluation of the dominant position of media companies is provided only in case of the merger of companies. Audiovisual media horizontal concentration is very high. Using data from the National strategy for the development of electronic media, 2023–2027, ([Latvijas Vēstnesis, 2, 03.01.2023.](#)) market share of top AVMS providers is 96%. The audience concentration of the top 4 audiovisual media owners is 43%. There is also a high level of horizontal concentration in other media sectors. The market share of the top 4 radio owners is 83%, whereas the audience concentration is 72%.

The **Plurality in digital markets** indicator shows a high risk level – 94% (88% in 2021). Digital media have become the most influential media segment, both in terms of audience media usage and advertising revenue. Internet advertising is the only advertising segment that saw growth in 2022 ([LRA, 2023, February 2023](#)). Thus, the concentration in the digital media environment is increasing, as several large media companies, which offer different platforms and increase the diversity of their services, divide the advertising market and audience among themselves. Media legislation does not provide specific thresholds and/or other limitations that are based on objective criteria to prevent a high degree of cross-media concentration.

The **Media viability** indicator corresponds to a low risk rating of 29% (down from medium risk in 2021). Media viability was affected by the economic difficulties associated with the war in Ukraine, which caused an energy crisis in Europe, followed by a soar in inflation. During the year, consumer prices in Latvia grew by 17%. This made an impact on the work of media companies. Changes in the advertising market were also determined by economic processes. In 2022, compared to 2021, the volume of the advertising market increased by 11.8%, reaching 84.4 million euros and finally exceeding the volume of the year before the Covid-19 pandemic – 2019. In 2022 newspaper advertising revenues proportion was 2.1%, internet advertising – 25.2%, TV – 43.1%, radio – 13%, magazines – 4% ([LRA, 2023, February 2023](#)). The year 2022 started with expectations for good market growth dynamics, but February 24 brought unexpected adjustments to the advertising market along with the Russian full-scale invasion and war in Ukraine.

Latvia's media market is linguistically divided, consisting of media in Latvian and Russian, as approximately 35% of the population of Latvia use the Russian language on a daily basis and prefer media in Russian ([NEPLP/Latvijas Fakti, 2022](#)). In connection with the Russian invasion of Ukraine, the Latvian media regulator NEMMC banned TV channels controlled by the Russian government, thus changing the opportunities for advertisers to reach Russian-speaking audiences. In the early days of the war, advertisers and their media agencies had to review their Internet advertising decisions to ensure that Internet advertising was not exposed to users when they accessed Russian propaganda content and similar pro-war sites. In the early spring, a series of decisions followed, with which NEMMC banned the broadcasting of all Russian-government-controlled TV channels in Latvia. Accordingly, with a sharp decrease in the number of channels available for advertising but a high demand, a huge shortage of television airtime emerged, resulting in a significant increase in the price of television advertising. Considering the war context, many advertisers revised the campaign plans for the Russian-language media, and the amount of advertising in Russian-language magazines and newspapers decreased. The volume of the advertising segment of magazines has decreased by 5% in general, and that of newspapers by 8.2% ([LRA, 2023, February 23](#)).

Advertising revenues of Latvian local media have always been on the lower side, and the income is largely determined by audience payments for subscriptions and newspaper retail sales. Due to population decline and subsequent audience drop, as well as inflation, the economic situation of local media became very difficult, according to information from the Regional Media Association. Latvian media seek and implement various forms and models of additional sources of income, for example, paywalls for digital media platforms, crowdfunding, and charity campaigns; media organisations offer their audience to business partners, e.g., through creating a platform for lifelong learning programs, culture tourism, media monitoring services, conferencing, events streaming, etc. The viability of Latvian media, especially local media's ability to continue their activities, is largely determined by the funding of the Latvian Media Support Fund (MSF), which is available through a project contest. In 2022, the MSF budget increased by 3.7 million euros, totalling 4.5 million euros (SIF, 2022). Its distribution was as follows: 2.1 million euros available for national media, 1.3 million for regional and local media in various thematic categories – 816,415 euros ([Ministry of Culture, 2022, January 15](#)). In 2022, a special program to strengthen the Latgalian (Eastern Latvia bordering Russia and Belarus) media environment was developed, allocating of more than 390 thousand euros for the Latgale regional media ([SIF, 2022, August 8](#)). It is worth mentioning that MSF provides funding only for Latvian-language media.

In addition to the state's direct and indirect support mechanisms, media companies' training, media innovations and consultations are provided by the Baltic Media Excellence Centre, whose projects are financed by various international and local organisations and embassies of several countries, such as the British Council, the Ministry of Foreign Affairs of the Republic of Latvia, the Office of the Nordic Council of Ministers in Latvia, Danish Cultural Institute in Estonia, Latvia and Lithuania, Embassy of Canada in Latvia, European Endowment for Democracy, Embassy of the Republic of Latvia in the Federal Republic of Germany, US Embassy in Latvia, Foreign and Commonwealth Office, Government of Norway ([BCME, 2023](#)). A large part of the support is received by Russian-language media.

**Editorial independence from commercial and owners influence shows** a high risk situation at 78%. The situation has not changed, and it is related to the peculiarities of regulation and self-regulation. Latvian media regulation does not provide any mechanisms granting protection to journalists in case of changes of ownership or editorial line. When evaluating media self-regulation documents, no measures or bodies were found that protect journalists in the case of a change of the media owner. Nor are there norms related to the independence of the process of appointing or removing editors from commercial influence.

Journalists' trade unions operate only in PSM organisations; the joint professional trade union of journalists is weak and essentially non-functional, although the Latvian Journalists' Union has the status and rights of a trade union. In addition, Latvia's liberal media laws do not establish any regulatory safeguarding, including internal bodies or self-regulatory instruments, which would ensure that decisions regarding appointments and dismissals of editors-in-chief are not influenced by commercial interests. When studying the professional ethics codes of the news media and the Latvian media ethics council code, no norms were found referring to the independence of the process of appointing or removing editors from commercial influence.

### **Focus on the digital environment**

The **Plurality in digital markets** indicator shows a medium risk situation (56%). This area lacks data; therefore, an exact assessment is not available. Platform audience data show that Latvian residents

use online news platforms (45%) and social networking platforms and blogs (41%) to a greater extent than the EU average, and 63% follow daily news on social media (Eurobarometer, 2022). However, data on the market impact of digital platforms are unavailable. The risk level in this area is increased by the fact that the market share of the top four players in online advertising is unknown as well as the lack of data on the audience share of the top four online players. No regulations have been adopted in Latvia that would prevent a high level of concentration in the digital environment and consider the specificities and digital evolution of the media sector.

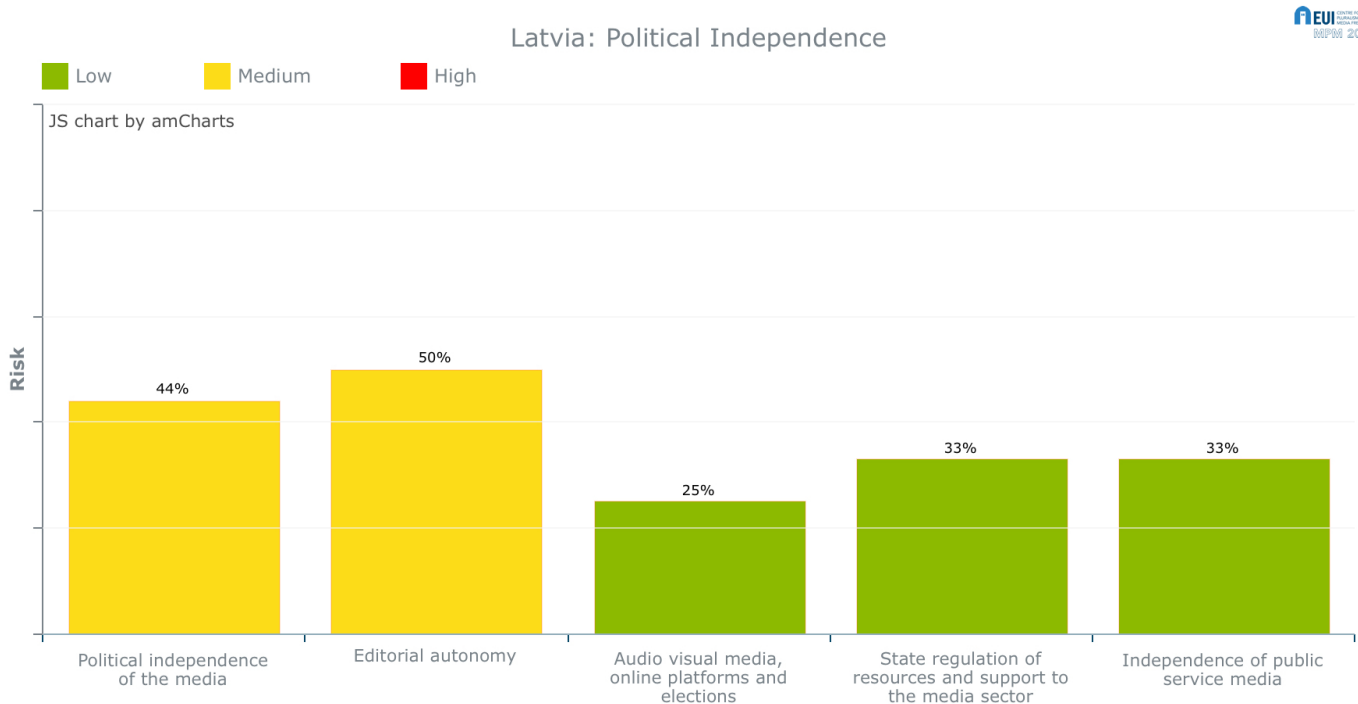
The most important issue in the media market is the influence of global platforms. Data provided by the Latvian Advertising Association show that five platforms attract approximately half of all advertising investments in Latvia. Using data from the State Revenue Service, the Latvian Advertising Association estimates that international platforms attracted 81.7 million euros in 2018 and 104.5 million euros in the first ten months of 2019 ([LRA, 2021](#)). The advertising market for other media amounted to 85 million euros in 2018. However, in Latvia, no local regulations, such as taxation schemes for digital services, have been developed to prevent the influence of global platforms on the national media market.

Latvia still has not transposed the 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 and amending Directives 96/9/EC and 2001/29/EC, (1) (EUR-Lex, n.d.).

The relatively good result in this part of the study was obtained taking into account media ownership transparency indicators and stable media viability data.

### 3.3. Political Independence (37% - 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.



Since 2022, the situation of the **Political Independence** area has not changed, maintaining the medium risk assessment (37%). Two indicators of area scored a medium risk situation and three – a low risk evaluation.

**Political independence of the media** corresponds to a medium risk situation (44%). There is no law regulating any relations between media owners and ruling parties, partisan groups, or politicians. In practice, conflict of interest appears sporadically, but there are no regular violations of this principle. After long discussions, the Law on Municipalities ([Latvijas Vēstnesis, 215, 04.11.2022.](#)) was only changed in 2020, denying the possibility for municipalities to be media founders. As a result of these changes, in November 2022, Daugavpils County and other municipalities which were among the owners of the Latgales Laiks newspaper sold their property shares ([Smagare, 2022, November 26](#)). In regard to specific media segments, analysing the ownership structure, performance, and media news of the top players in the audio-visual media market, there is no reason to believe that any of the major media companies are politically influenced. This situation is facilitated by the fact that due to EU sanctions and changes made in relation to the war Ukraine, many Russian state-controlled TV channels are banned. The largest local digital media, e.g., Delfi, Tvnet, Apollo.lv, are operating without political control. The only news agency LETA is owned by the Estonian media corporation Postimees Grupp, with no evidence of political links among its owners, affiliation of key personnel or editorial policy.

In the **Editorial autonomy** indicator, the situation in Latvia is assessed at a medium risk level (50%). As a result of the liberal regulation approach, media laws or self-regulatory measures do not guarantee autonomy when appointing and dismissing editors-in-chief. The indicator has improved its score compared to 2022

because there were no specific events during the study that would allow drawing conclusions about changes in the independence situation of media editors-in-chief. A survey conducted in 2021 ([Rožukalne & Ozoliņa, 2022, May 27](#)) shows that journalists most often assess their level of autonomy as high (96% of respondents think so), 82% of respondents evaluated Latvian media as independent, 72% think that there is a low or no political impact on their professional work. “Some politicians from time to time criticise the media or journalists, which could be interpreted as a form of pressure. While this indeed is deeply problematic, these cases mostly can be linked with individual political tactics and do not represent the political line of either the parliament or the government”, according to media expert, associate professor of Vidzeme University Jānis Buholcs.

The indicator on **Audiovisual media, online platforms and elections** is assessed as low risk at 25%, which reflects the overall situation in various media segments. The requirement to ensure the impartiality and neutrality of news and information programs, to separate news from opinions, and the compliance of news and information content with the basic principles of professional ethics is set out in the Electronic Mass Media Law ([Latvijas Vēstnesis, 118, 28.07.2010.](#)), as well as in all self-regulatory acts. The Law on Public Electronic Mass Media and Administration Thereof generally guarantees the independence of Latvian PSM, these guarantees apply to all content, including news. An expert group’s analysis of PSM’s content in the first months of the war ([SEPLP, 2022, May 24](#)) and a study on the balanced representation of political parties showed that PSM’s news content is balanced, diverse and of high professional quality ([SEPLP, 2022, November 28](#)). The Law on Public Electronic Mass Media and Administration Thereof ([Latvijas Vēstnesis, 323, 01.12.2020.](#)) provides the legal norms, defining a duty of PSM to “ensure free broadcasting time for the pre-election campaign and also announcements (advertisements) on meetings with voters”. “Last year, a parliamentary election in Latvia took place, and the performance of PSM can be particularly evaluated in this context. In general, all political parties were able to communicate their views. Parties that form the government enjoy more coverage, but this is somewhat unavoidable,” as per media expert Jānis Buholcs.

The pre-election regulation of Latvian media does not specify the possibility of party representatives being represented in the content of commercial media. However, professional commercial media that offer news and current affairs content in most cases respect the proportionality of the coverage of different political parties and political personalities. Associate professor of Vidzeme Applied University Jānis Buholcs said that “private media may have political views and parties they support more than others. Before this election, this practice did not deviate from the generally accepted professional norms of media outlets. In some cases, the promotion of certain candidates may not stem from the lack of editorial independence, but lazy journalism and poor professional judgement, which pays disproportionate attention to eye-catching political stunts”.

The ability of parties to purchase advertisements in various media to ensure communication before the election is regulated by the Law on Financing of Political Organisations (Parties) ([Latvijas Vēstnesis, 114, 02.08.1995.](#)) and supervised by the Corruption Prevention and Combating Bureau. This includes a regulatory framework ensuring that the public is aware that the message is a paid political advertisement and regulation measures that state an obligation, first, to identify the payer for the political advertisement, second, to note that the content provided is political advertising. This issue is regulated by Advertising Law ([Latvijas Vēstnesis, 7, 10.01.2000.](#)) and Pre-Election Campaign Law ([Latvijas Vēstnesis, 199, 19.12. 2012.](#)).

The **State regulation of resources and support to media sector** indicator scores a low risk at 33%, on the brink of a medium risk level. There are clear and transparent rules on the distribution of direct and

indirect subsidies to the media. Since 2018, direct subsidies have also been provided by the Media Support Fund (MSF), which allocates funds to produce quality journalistic content in commercial media. In 2022, the funds of the Media Support Fund amounted to 4.5 million euros ([SIF, n.d.](#)). MSF aims to directly support quality journalism content creation projects in commercial media. The mechanism for allocating funds is clear and transparent. Indirect subsidies for media in Latvia, both historically and now, are provided by several support mechanisms: 1) by partially compensating the costs of ensuring the delivery of subscribed press publications; 2) a reduced VAT rate of 5% (since 2022).

The risk levels are related to the allocation of state advertising. There is no term 'state advertising' used in regulatory documents in Latvia. Nevertheless, ministries and local municipalities use taxpayers' money for information and/or social campaigns. The money allocated for these needs is distributed according to public procurement procedures. "It is a big contradiction when national media require state support to overcome the drop in advertising income caused by the influence of platforms, but state institutions finance global platforms using tax money," stated Guntars Kļavinskis, executive director of the Association of Press Publishers.

**Independence of PSM governance and funding** was rated as low risk at 33%. The year 2022 was very important for strengthening the independence of the PSM of Latvia. The new Public Electronic Mass Media Council (PEMMC) continued to strive for political acceptance of the implementation of the concept of unified public media, which is associated with a change in the funding model. Latvian PSMs are currently among the least funded in the EU, although trust in them is above EU levels (51%, 49% - EU average) ([Eurobarometer, 2022](#)). In 2022, the Council organised a competition for the selection of the new board of Latvian Television and Latvian Radio and approved three new board members for each; their main task is to manage the merger process of public media. The new PSM Council created a public consultative platform in which representatives of various media, cultural and educational NGOs, and universities operate; in addition, a public service ombudsperson's position was created ([SEPLP, n.d.](#)). After the 2022 elections, the politicians supported the PSM merger plan, and the working group for changing the financing model has also started its work ([SEPLP, 2023, March 16](#)). However, in 2022, when PSM needed additional funds to cover the war in Ukraine and to compensate for the increase in costs caused by inflation, PSM organisations had to constantly prove that their funding level was insufficient to fulfil all tasks ([SEPLP, 2023, January 3](#)).

The model of merging the two PSM organizations developed by PEMMC and the readiness to change the financial model from October 1, 2022, was supported by the representatives of the parliament elected in early 2023. But after a few weeks, its promotion was postponed (Kincis, M. (2023, March 29). These processes show the lack of political will to ensure sufficient and predictable financing of PSM. 2022 also offers an example of political pressure, when Minister of Defence Artis Pabriks, who was dissatisfied with the choice of an interviewee in a PSM program, publicly promised not to support an increase in PSM funding ([Brauna, 2022, April 5](#)). This appeal against PSM's independence provoked reactions from professional environmental organisations in Latvia and drew the attention of international organisations as well ([Council of Europe, 2022, June 27](#); [Kārklīņš, 2022, June 27](#)).

## Focus on the digital environment

**Political Independence** area indicators for the digital sphere show a medium risk (41%), which is higher than the general score for this area (37%). The updated pre-election communication regulation includes online electoral campaigns. The Corruption Prevention and Combating Bureau



collects all data and monitors situation. Monitoring and investigation in cases of law violation are effective. There are many cases when political organisations have been sued in cases of violation of pre-election rules.

Transparency of political campaign spending is defined by the Law on Pre-election Campaign. In practice, various state institutions e.g. the Corruption Prevention and Combating Bureau or the National Electronic Mass Media Council report on political campaigns spending data and its structure (spending for each media segment). Political parties must follow pre-election rules in the digital environment, and they must declare spending to the Corruption Prevention and Combating Bureau. However, taking into account the possibilities of the digital environment, parties are not transparent in the identification of spending and techniques used in social media political campaigns, even more, parties use social media to establish closed supporters' groups, for example, on Facebook or TikTok, without indicating the resources invested in this, because it takes place a long time before the elections when the provisions of the regulation of pre-election advertising are not binding. All regulations apply to the clear declaration of the financial part of online political advertising before the election. There is a lack of information on techniques used on social networking platforms.

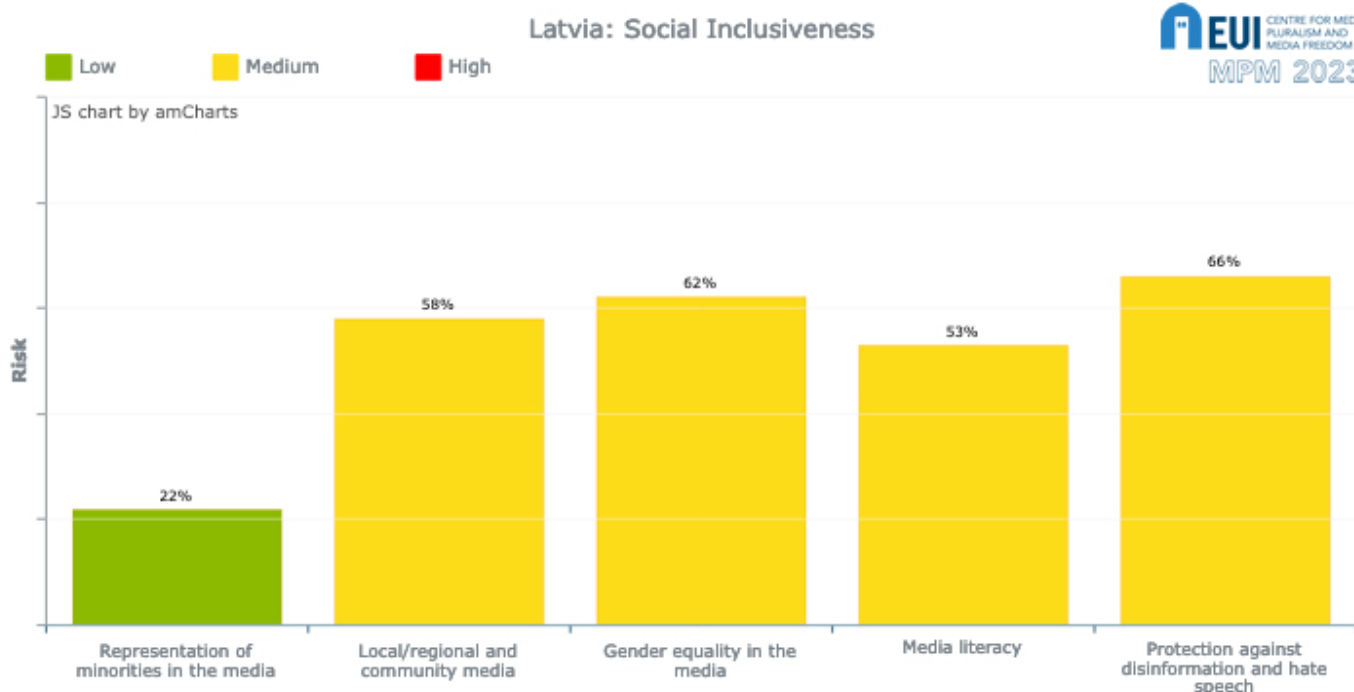
The monitoring of activities regarding the use of personal data on individuals by political parties for electoral campaigning purposes is carried out by the Data State Inspectorate. According to available information, this institution follows the rule of law and guidance of the European Commission. The duty of this institution before the election was to supervise data usage. The Inspectorate regularly reported on its activities and informed on the rights of citizens during the election campaign.

Before the 2022 parliamentary elections, the Data State Inspectorate developed guidelines relating to data protection. Recommendations have been developed for political parties and their associations regarding the processing of personal data during the primary elections (DVI, 2022, August 5).

On its webpage, the Data State Inspectorate provides more information on regulations related to data protection (DVI, n.d.).

### 3.4. Social Inclusiveness (52% - medium risk)

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



In the **Social Inclusiveness** area, four out of five variables show a medium risk situation, and one shows a low risk situation. The evaluation of the variables of **Media literacy** (53%) and **Protection against disinformation and hate speech** (66%) has changed from high risk to medium risk. The importance of **Media literacy** is gradually strengthening in formal and informal education, but there are still limited opportunities to reach representatives of vulnerable groups. Regarding the indicator **Protection against disinformation and hate speech**, the change in the questionnaire provides a more detailed overview this year, leading to a decrease in the risk level.

**Representation of the minorities in the media** scores 22% (37% in 2021). Latvian PSMs have an obligation to create content for minorities ([Latvijas Vēstnesis, 232, 01.12.2020](#)). The historical ethnic minorities (Russians, Belarusians, Ukrainians, Poles, Jews, Roma people) are mentioned in the “Fourth Report” submitted by Latvia, pursuant to Article 25, paragraph 2 of the Framework Convention for the Protection of National Minorities – received on 27 October 2021 ([COE, 2021, October 27](#)). Two cultural and language minorities, the Latgalian and the Livonian, are identified in media laws. Regarding other minorities, the new Law on Public Electronic Mass Media and Administration Thereof includes more precise policy measures, e.g., PSM shall strengthen universal respect for different social groups, promote mutual prejudice reduction, gender equality, and equal treatment for all members of the society. PSM shall ensure the availability of the services they provide to persons with disabilities ([Latvijas Vēstnesis, 232, 01.12.2020](#)).

The representation of minorities in PSM content is still better than in commercial media, since PSM offer a broader range of content, including content targeted at minorities. In fact, data on minority representation in media content are unavailable. Latvian Radio channel 4, which is the most popular among Russian-

language radio stations, broadcasts news, discussion programs, analytics, education, culture, history, and entertainment content in Russian, as well as several programs in Ukrainian. In cooperation with the Association of National Cultural Societies, LR4 produces programs on ethnic minority cultures. Latvian Radio 4 is available in 52% of the territory of Latvia, mainly in the largest cities and around them in all regions of Latvia. According to public remit test data (2022) 19% of representatives of the ethnic minorities trust Latvian Radio. Audio-visual content in the form of news and discussions is also available on the Latvian Television channel LTV7 and on the digital platform [RUS.LSM.LV](https://www.rus.lsm.lv) (audio-visual content on the portal was established in 2021). Since 2022, content is also available in Ukrainian and Polish. Regular programs in the Latgalian language (regional language) are broadcast on Latvian Radio1. Considering minorities' access to commercial media, there are many programs in Russian on private TV and radio channels, including a brand new Russian language news program on TV3+ established in the fall of 2022. Generally, there is a lack of quality journalism in minority languages in Latvia in the content provided by commercial media companies.

Media expert, Dr. Sandra Sprudzāne<sup>[1]</sup> expressed a critical view: “The war in Ukraine has encouraged the addition of content for minorities, in this case for Ukrainian refugees (newscasts in Ukrainian on the radio) but also sparked discussions about the financial support for the content of public media in Russian. In general, media content for legally recognised minorities in Latvia means content in Russian, even though other ethnic groups also live in Latvia, for example, Poles and Belarusians. However, due to a war caused by a full-scale Russian invasion in Ukraine, questions about media content in Russian were brought up in the Latvian media policy. The conclusion that the share of the Russian language in the public environment should be reduced led to a contradictory situation, because by law, PSM is obliged to create content for minorities, to reach minority audiences, but there is no clear long-term strategy in this area.” The situation is explained by media expert, associate professor of Vidzeme Applied University Jānis Buholcs: “Recently the Latvian government announced that as part of its media policy, it will not assign more funds for the production of content in Russian and other minority languages. This intention is justified by the fact that Latvian is the only state language in Latvia. However, since Latvia has a considerable Russian-speaking minority, it is essential to attract them with content that has been produced in Latvia and reflects the local context. Russian language speakers do have access to information in Russian. While the emphasis on the strengthening of Latvian language generally is justified, these proposals include certain risks in how the Latvian information environment and content consumption practices of Latvian population develop.” In addition, data on LGBTQIA+ representation are not available, although in previous reports experts indicated that this minority is not sufficiently represented in media content.

The media accessibility for people with disabilities has improved from a medium risk level (38%) in 2022 to low risk level (25%) due to the steady growth of content accessible to people with disabilities on PSM platforms. However, the situation is not as good on commercial media. In 2022, the NEMMC prepared the first report on the accessibility of electronic media services to people with disabilities, and the main conclusion was that the amount of available content is still low ([NEPLP, 2022, September 30](#)). Although the NEMMC has created guidelines for commercial media to develop content for people with disabilities, the accessibility has not improved. It is important to mention that funding for commercial media content on problems of people with disabilities has been provided by Media Support Fund since 2017 ([SIF, n.d.](#)).

**Local/regional and community media** situation analysis scores medium risk at 58%, with no change compared to the previous implementation of the MPM. Community media are not recognised by the media law of Latvia. There is no developed system of community media in the country. At the same time, the independence of all types of media is guaranteed by law (the Constitution and specific media legislation). There are few new independent digital local media established in the regions where the local information

environment has been determined for a long time by influential local government gazettes and mass media related to local politicians (Daugavpils, Rēzekne) (Rožukalne, 2013) and there have been difficulties for independent media to develop. The most well-known example is the media Chaika (Seagull) in Daugavpils, eastern Latvia, which is funded by external donors.

The economic situation of local and regional media is difficult, despite the existence of direct and indirect state subsidies. With declining advertising revenues due to economic difficulties raised by the war in Ukraine, and increasing competition from global platforms, the existing subsidies are insufficient, as per the Chair of the Regional Media Association Ivonna Plaude. In terms of indirect subsidies (e.g., tax reduction or compensation of postal delivery service) local and regional media are qualified at the same level as other media. There are direct subsidies for regional/local media content development via the Media Support fund and other programs. Consequently, regional, and local media have maintained their activity despite the economic processes that create more and more difficulties for their sustainability. For example, no regional media has been closed, but many print newspapers decreased their publication frequency to issuance twice or three times per week.

It is important to mention that there is no obligation for PSM to own local/regional branches or deploy regional correspondents. Nevertheless, public radio has regional correspondents in all four larger regions in Latvia, and a multimedia studio in Rēzekne, covering the eastern part of Latvia. To overcome the lack of regional/local news on PSM, an agreement on providing daily news between regional broadcasters and PSM is updated yearly.

**Gender equality in the media** shows medium risk 62%, close to a high risk situation. Regarding the representation of women in PSM in 2022, a small study was conducted, which shows that women are still underrepresented in analytical programs. The monitoring of Latvian Television's discussion programs showed that in the weekly discussion, out of a total of 218 live and remote guests of the program, only 57 or 26% were women. The proportion of men is significantly higher if the guest of the PSM's discussion program represents the political elite (83% are men), is an official (83% are men), or represents the opinion of entrepreneurs (95% are men) ([Rožukalne & Ozoliņa, 2022, May 16](#)). In line with these data, media expert Jānis Buholcs confirmed that: "Women are underrepresented in the media. However, this is not always an issue connected with editorial decisions. Since men tend to dominate politics and take many of the high-ranking posts, it is to be expected that this will be reflected in media coverage. This also partly applies to the choice of experts: in a small country, journalists do not always have a broad list of expert opinions to choose from. But I am not denying that the problem with the representation of women exists."

It is also important to highlight that the Latvian PSM has not developed a gender equality policy. In 2022, the share of women on recently elected PSM management boards is 50%. The majority of commercial TV and radio companies are managed by men. The situation with media editors-in-chief is balanced: 50% of editors are women, 50% are men.

**Media literacy** is rated as medium risk at 53% (high risk 67% in 2021). The assessment of Latvian citizens about their media literacy changes slowly and has not improved. To compare with 2021, also in 2022, when evaluating their experience in using the media, the majority (57%; -4% compared to 2021) of the surveyed Latvian residents claimed that they are usually able to recognise which information in the media is reliable and which is misleading, biased, or fabricated ([NEPLP/Latvijas Fakti, 2022](#)). Commenting on actual media literacy issues, media expert Sandra Sprudzāne evaluated MIL activities as ad hoc measures taken in response to crisis (disinformation, pandemic, war in Ukraine) with an undeveloped strategic approach. The

main actors in this area are libraries and municipalities that support media literacy activities aimed at local communities. Media literacy initiatives targeting vulnerable groups are limited. In 2022, the Ministry of Culture implemented an informative media literacy campaign aimed at the senior audience ([KM, 2022, January 17](#)).

**Protection against disinformation and hate speech** is rated as medium risk at 66% (compared to 92% in 2021). The decrease in the risk level is justified by the change in the questionnaire, which provides a more nuanced view of the existing protection against disinformation and hate speech. In Latvia, several institutions deal with disinformation prevention at a strategic level: the State Chancellery's Strategic Communication Centre, NEMMC, NATO StratCom, professional media, research journalism centre RE:Baltica, including news portal DELFI among others. After long discussions, in 2020 and 2021, Latvia decided not to create a special regulation for the prevention of disinformation, opting to use the existing regulation instead. In this context, protection against disinformation is insufficient. There is a lack of regulatory measures to tackle online and media-disseminated disinformation. Regarding recognition of fact-checking materials, in the 2022 study of the Latvian Media Ethics Council (N=1019; 18 -75), 47% of respondents admitted that they had not noticed them, 29% had noticed a few times, but not many, 10% had noticed the fact-checking materials many times, 14% could not answer the question ([LMEP, 2022, December 7](#)).

Regarding protection against hate speech, there is a well-developed universal legal framework, but there is no regulation aimed specifically at online hate speech. Hate speech is considered a criminal offense in Latvia, as defined in Article 78 and Article 150 of the Criminal Law ([Latvijas Vēstnesis, 199/200, 08.07.1998](#)). Hate speech is not protected by freedom of expression. The Law on Administrative Responsibility of Latvia states that any administrative violation resulting from prejudice and committed against a person or a group of persons because of their race, nationality, religion, or other clearly identifiable characteristics is considered an administrative violation committed under aggravating circumstances. Still, there are many barriers, e.g., lack of instruments, long investigation process, and long court hearing processes that make it complicated to counter online hate speech in Latvia. Hate crimes are usually poorly recognised and are not considered a socially and politically important priority. Online hatred, if reported to the police, is not considered dangerous in police practice if no real harm has been done to the person. This makes it difficult for victims of online hatred to assert their rights and motivates hate speech perpetrators to continue their activities ([TV3/LETA, 2023, January 14](#)).

In Latvia, hate speech occurs regularly on the Internet and the responsible authorities monitor it. The investigation is not always effective; still, every year there is at least one court case related to hate speech on the Internet. The situation with hate speech on the web became more complicated after the Russian invasion of Ukraine. In 2022, the State Security Service reported that there had been 23 identified cases of hate speech ([VDD, 2022, June 6](#)). Since the invasion of Ukraine by Russian armed forces, the State Security Service has initiated 19 criminal proceedings and taken over four criminal proceedings related to hate speech from the State Police. Most of the criminal proceedings are related to aggressive actions against Ukraine and its people.

Russia's full-scale invasion of Ukraine provoked discussions about the limits of freedom of speech and new manifestations of hate speech, as attempts to justify or even praise Russia's aggression in Ukraine were observed in public communication, mainly online. According to the regulatory framework of Latvia, freedom of speech can be restricted if it is necessary for the purpose of protecting state and public security. Direct or indirect calls for war, military conflict, or violence under the guise of freedom of speech are not permitted. The justification and support of Russia's military aggression against Ukraine and its people may result in

criminal liability. Such behaviour can also be punished by deprivation of liberty. The State Police calls on the citizens of Latvia to also report the use of symbols supporting the Russian aggression in Ukraine. The State Security Service evaluates whether there are signs of a criminal offense in activities that express support for Russia's caused war in Ukraine, and if there are such, criminal proceedings are initiated ([Blumberga-Švēde, 2022, March 16](#)).

### Focus on the online environment

**Social Inclusiveness** area of the digital environment identifies a medium risk situation – 58%. This rating does not differ from the overall rating, but the medium risk situation is caused by the increase in preventing aggressive and hateful statements in the online environment and insufficient opportunities to prevent them in cases where they offend human dignity. As research on hate speech on the web shows, in Latvia, the society and the police also lack the ability to recognise hate speech and in many cases it is not recognised as a violation if the person does not suffer harm, such as physical injury ([TV3/LETA, 2023, January 14](#)).

In Latvia, several institutions deal with disinformation prevention at a strategic level: the State Chancellery's Strategic Communication Centre, NEMMC, NATO StratCom, professional media, investigative journalism centre RE: Baltica, and others. The State Chancellery Strategic Communication Centre monitors the spread of disinformation, offers an analysis of examples, and develops state strategic communication guidelines. NEMMC monitors disinformation in electronic media using the resources of its monitoring centre. RE:Baltica creates investigative journalism projects to expose various forms of disinformation. The biggest projects are related to lifestyle influencers' health information ("Karma Latvians") and the operation of the Facebook monitoring centre. NATO StratCom regularly conducts research and analyses the spread of disinformation on social networking platforms and informs about the latest types of disinformation (deep fakes), as well as the impact factors of disinformation in the area. After long discussions, in 2020 and 2021, Latvia decided not to create a special regulation for the prevention of disinformation, opting to use the existing regulation instead. In this context, protection against disinformation is insufficient. There is a lack of regulatory measures to tackle online and media-disseminated disinformation.

## 4. Conclusions

The evaluation of the MPM areas in 2022 shows both a low risk situation (Fundamental protection – 21%) and a medium risk level (Political independence – 37%; Market plurality – 66%, Social inclusiveness – 52%).

Russia's full scale invasion in the Ukraine and its impact on the FoE in Latvia have created a unique situation. Evaluation of the **Fundamental Protection** area in 2022 shows that the level of FoE is still high, and citizens have free access to professional media and the internet. As a result of regulatory changes, the independence of media regulators has improved, especially the independence of the PSM supervisory body. However, the risk is increased by assessing journalists' working conditions because of insufficient protection of journalists from threats and attacks in the online environment.

As a result of regulatory changes, many Russia's state-controlled TV channels and Internet sites that distribute illegal content have been shut down for security reasons. At the same time, in Latvia, which in 2022 gave many representatives of Russia's independent media the opportunity to continue their work in Latvia, NEMMC also revoked the broadcasting license of the Russian media TV Rain (NEPLP, 2022, December 6) due to threats to national security, causing an international reaction (EFJ, 2022, December 7) and the assessment of this decision by the Association of Latvian Journalists as disproportionate (LŽA, 2022, December 7).

### Recommendations

**To the State, media regulatory and supervisory bodies, media professionals, and civic society organisations:**

- National Electronic Mass Media Council (NEMMC) shall continue to explain in detail the reasons and argumentation behind the bans of certain media in relation to state security threats.
- Public Electronic Mass Media Council (PEMMC) shall recommend that public media create a strategy and measures for the protection of journalists, especially from online attacks and threats.
- For the Latvian Media Ethics Council – to cooperate with the journalists and media professional organisations to create a sustainable protection system against attacks on journalists.

**Market Plurality** domain data identified the highest risk level due to the increasing concentration; especially rapidly it is growing in the field of digital media. Thus, the advertising market in Latvia is growing very slowly. A large part of advertisers' resources are invested in global platforms. There is no regulation protecting national media viability from the impact of global platforms' activities. In the future, media viability may be affected by the setting of the media policy, which determines that the possibility of receiving state support is affected by the language of the media content, e.g., only commercial media in the Latvian language could qualify for state support.

### Recommendations

**To the State, media professionals, and civic society organisations:**

- To the Ministry of Culture – recommendations and solutions for mitigating the impact of global platforms

on the media income structure and strengthening media viability shall be developed to protect national media market sustainability.

- A mechanism for limiting horizontal and cross-media concentration shall be incorporated into the regulation of media competition.
- To the Latvian Media Ethics Council – unity of its members to develop an effective model of how a trade union of media professionals shall be developed.

Assessing data on **Political Independence**, the situation remains at the medium risk level, as the issues regarding the necessary regulation or PSM funding have not been resolved. Regarding analysis of political influence on the media, the risk level decreases slightly, however, neither regulation nor self-regulation provides the protection of journalists in the case of a change of the media owner or editorial direction. This situation affects assessments of the level of editorial independence. Pre-election communication regulation is at a relatively good level. Before elections, the media tries to observe objectivity in the coverage of political forces; the law provides for the duty of PSM to give equal opportunities to political parties to access PSM airtime before elections (Latvijas Vēstnesis, 199, 19.12.2012.). However, the PSM's funding model is still subject to the influence of political decisions, the funding is insufficient, and this affects both the PSM's ability to fulfil its tasks and its independence.

## **Recommendations**

### **To the State, media professionals, and civic society organisations:**

- To the Ministry of Culture – when creating the new media policy, envisage the development of a modern media regulation law, providing mechanisms for the protection of journalists in the cases of a change of media owners and/or editorial line.
- To the Human Rights and Public Affairs Commission of the Parliament – support the change of the PSM funding model with the aim of gradually reaching the EU average level.
- To the Ministry of Culture – the definition of "state advertising" and its status shall be added to the advertising regulation.
- To the Ministry of Culture – to evaluate the level of media political bias conduct research on the content of the media before and after the elections to highlight the level of their professional quality and evaluate the responsibility of the media.
- To the Ministry of Culture – although the Media Support Fund is successfully operating in Latvia, it does not provide sustainable support for improving the capacity and resources for technological development for local and regional media, thus, the sustainable program shall be implemented using the framework of Media Support Fund.

In the domain of **Social Inclusiveness**, a medium-risk situation persists. In Latvia, improvements are noticeable in the field of reach of media for minorities, however, support for regional and local media is still the same as for other media. This reduces the opportunities for residents of regions and small settlements to receive diverse and high-quality information. The situation of media literacy and protection against



misinformation and hate speech is improving very slowly. According to the EU Media Literacy Index (2022), Latvia is in 21st place among 41 countries. On the Baltic scale, where many conditions are similar, this is the lowest level as Lithuania ranks 17th and Estonia 4th (OSIS, 2022, October 22). PSM organisations still have not developed gender equality policies.

## **Recommendations**

### **To the State, media professionals, and civic society organisations:**

- To the Ministry of Culture – similarly to creating a media literacy campaign for seniors in 2022, a strategy on how to reach more vulnerable groups outside of formal education shall be developed.
- To the Ministry of Culture – using regular research results, a data-based media literacy policy shall be implemented.
- To the Ministry of Education and Science – to strengthen media literacy proportion in primary and secondary education, additional study materials and support measures for teachers should be developed. To reach various groups of society and improve the overall level of media literacy in society in the long term, the introduction of a mandatory media literacy course in all stages of higher education shall be evaluated.
- To the Ministry of Culture – together with representatives of the media industry, measures to support and strengthen the long-term activities of local and regional media shall be developed.
- To the Ministry of Culture – the definition and status of Community media in the media regulation shall be established.
- To the Public Electronic Mass Media Council – encourage PSM to create a gender equality policy.
- To the Ministry of Justice – to improve the recognition and prevention of hate speech, it is recommended to review the possibility of initiating an administrative process for the dissemination of hate speech.
- To the Ministry of Justice, Ministry of Education and Science, and other governmental bodies – since the level of media literacy has not improved in Latvia and a high level of vulnerability regarding the impact of disinformation on society remains, the possibility of creating a regulation of the spread of disinformation shall be reconsidered.

## 5. Notes

[1] Dr. Sandra Sprudzāne is an Assistant Professor of Rēzekne Academy of Technology.

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## ANNEXE I. COUNTRY TEAM

First name	Last name	Position	Institution	MPM2023 CT Leader
<i>Anda</i>	<i>Rožukalne</i>	<i>professor, senior researcher</i>	<i>Riga Stradins University</i>	X

## ANNEXE II. GROUP OF EXPERTS

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

First name	Last name	Position	Institution
<i>Anna</i>	<i>Platpīre</i>	<i>Chair of the Board</i>	<i>Association of Latvian Journalists</i>
<i>Andris</i>	<i>Ķēniņš</i>	<i>Director</i>	<i>Latvian Broadcasting Media Association</i>
<i>Rasma</i>	<i>Pīpiķe</i>	<i>NGO research and activism on social/political/cultural issues related to the media</i>	<i>Latvian Civic Alliance</i>
<i>Ieva</i>	<i>Kalderauska</i>	<i>Council member</i>	<i>National Electronic Media Council</i>
<i>Guntars</i>	<i>Ķļavinskis</i>	<i>Chair of the Board</i>	<i>Association of Latvian Press Publishers</i>
<i>Jānis</i>	<i>Buholcs</i>	<i>associate professor</i>	<i>Vidzeme University of Applied Sciences</i>



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