

MONITORING MEDIA PLURALISM IN THE DIGITAL ERA

APPLICATION OF THE MEDIA PLURALISM MONITOR IN THE EUROPEAN MEMBER STATES AND CANDIDATE COUNTRIES IN 2023

Country report: Bulgaria

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Research Project Report

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1. About the project

1.1. Overview of the Project

The Media Pluralism Monitor (MPM) is a research tool that is designed to identify potential risks to media pluralism in the Member States of the European Union and in Candidate Countries. This narrative report has been produced on the basis of the implementation of the MPM that was carried out in 2023. The implementation was conducted in 27 EU Member States, as well as in Albania, Montenegro, The Republic of North Macedonia, Serbia and Turkey. This year a part of the MPM has also been piloted in Bosnia and Herzegovina and Moldova. 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. The research is based on a standardised questionnaire that was developed by the CMPF.

In Bulgaria the CMPF partnered with Orlin Spassov (Foundation Media Democracy / Sofia University “St. Kliment Ohridski”), Nelly Ognyanova (Sofia University “St. Kliment Ohridski”), Nikoleta Daskalova (Foundation Media Democracy), who conducted the data collection, scored and commented on the variables in the questionnaire and interviewed experts. The report was reviewed by the CMPF staff. Moreover, to ensure accurate and reliable findings, a group of national experts in each country reviewed the answers to particularly evaluative questions (see Annexe II for the list of experts). For a list of selected countries, the final country report was peer-reviewed by an independent country expert. Risks to media pluralism are examined in four main thematic areas: Fundamental Protection, Market Plurality, Political Independence and Social Inclusiveness. The results are based on the assessment of a number of indicators for each thematic area (see Table 1).

- **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.

Fundamental Protection	Market Plurality	Political Independence	Social Inclusiveness
Protection of freedom of expression	Transparency of media ownership	Political independence of the media	Representation of minorities
Protection of right to information	Plurality of media providers	Editorial autonomy	Local/regional and community media
Journalistic profession, standards and protection	Plurality in digital markets	Audiovisual media, online platforms and elections	Gender equality in the media
Independence and effectiveness of the media authority	Media viability	State regulation of resources and support to the media sector	Media Literacy
Universal reach of traditional media and access to the Internet	Editorial independence from commercial and owners' influence	Independence of PSM	Protection against disinformation and hate speech

Table 1: Areas and Indicators of the Media Pluralism Monitor

• 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. 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/>.

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, MPM2024 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 MPM2024, which is available on: <http://cmpf.eui.eu/media-pluralism-monitor/>.

2. Introduction

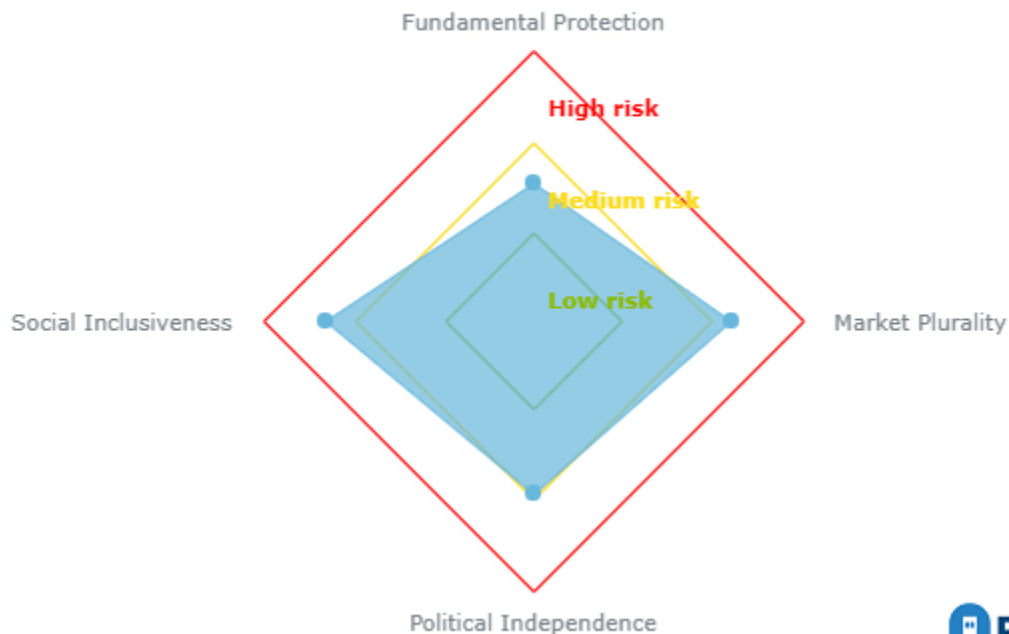
- **Country overview.** Bulgaria is located in Southeastern Europe, in the eastern part of the Balkan Peninsula. The area of the country is approximately 111,000 square kilometres. The total population of Bulgaria is 6,447,710 (NSI, 2023a). The capital is Sofia. The country is divided into 28 districts.
- **Minorities.** According to the latest available official data (census 2021), the Bulgarian ethnic group is the largest, accounting for 84.6% of the Bulgarian population (a decrease of 0.2 percentage points compared to 2011). The Turkish ethnic group is the second largest, making up 8.4% (a decrease of 0.4 percentage points compared to 2011). The Romany group is the third largest, accounting for 4.4% (a decrease of 0.5 percentage points compared to 2011). Approximately 1.3% of the population identified themselves as belonging to other ethnic groups. Bulgarian is the mother tongue of 85.3% of the population, Turkish being the second most common with 8.7%, and Roma with 3.9% (NSI, 2021). The adult literacy rate reaches 98.42% (data for 2021; an increase of 0.07 percentage points since 2011) (Macrotrends, 2023).
- **Economic situation.** In 2022, as in previous years, Bulgaria maintained its position as the EU member state with the lowest per-capita GDP at 38% below the EU average, followed by Greece, Slovakia, Latvia, and Croatia (Eurostat, 2023a). The latest macroeconomic estimates for Bulgaria indicate a GDP growth YOY of 2% and an inflation growth of 8.6% for 2023 (EC, 2024). Bulgaria remains the poorest country in the EU, although the unemployment rate is 4.2% (data for Q4 2023) (NSI, 2024), which is below the EU average of 5.9% (data for December 2023) (Eurostat, 2023b). The economy faces various problems, including corruption. In 2023, Bulgaria's corruption perceptions score ranked 68th out of 180 countries (72nd out of 180 countries in 2022) (Transparency International, 2023). Bulgaria is expected to join the eurozone in 2025.
- **Political situation.** Bulgaria is a parliamentary republic. The National Assembly consists of 240 members. The Prime Minister is elected and recalled by the Parliament. The President is directly elected, has a five-year term and is eligible for one re-election. General elections were held on 2 April 2023. They marked Bulgaria's fifth early parliamentary elections in just two years, highlighting the deep political instability in the country. The elections were won by the coalition Citizens for European Development of Bulgaria – Union of Democratic Forces (GERB-SDS), followed by the coalition We Continue the Change – Democratic Bulgaria (PP-DB) and the nationalist-oriented Vazrazhdane (Revival) party. Three other parties and coalitions also entered Parliament: the Movement for Rights and Freedoms (DPS), the Bulgarian Socialist Party for Bulgaria (BSP for Bulgaria), and There is Such a People (ITN). The elections produced a fragmented parliament. An unstable and contradictory government was formed, supported by the GERB-SDS and PP-DB coalitions, as well as by the fourth largest political force, the DPS. The Prime Minister was elected on a rotating basis. In the first cycle of the rotation the Prime Minister is a representative of PP-DB; the Deputy Prime Minister is from GERB-SDS. The tense relations within the government (labelled by the participants themselves as a “non-coalition”) lead to permanent instability and to the risk of other early parliamentary elections. The government is strongly pro-EU, pro-NATO and pro-Ukraine.^[1]
- **Media market.** The media market in Bulgaria is relatively diverse but still highly dependent on political and economic influences. The number of media (data for 2022) includes: 191 newspapers, 25 of them dailies; 112 registered TV operators; 73 radio operators (NSI, 2023b). The total TV and radio revenues

are approximately EUR 301,584, 000 and EUR 50,671,000 respectively (ibid). As of 2023, as many as 88.5% of the households have access to the internet at home (a growth of 1.5 percentage points compared to the previous year). The share of households using fixed broadband internet connection is 62.7% (data for 2021). Households using mobile broadband internet connection are 75.0% (NSI, 2023c). In early 2021, United Group (UG), which owns the largest Bulgarian telecom Vivacom, acquired Nova Broadcasting Group, one of the leading TV companies in the country. UG's portfolio also includes newspapers, radio stations, and websites. One of the other key TV players in Bulgaria, bTV Media Group, is owned by PPF GROUP, which also owns the major mobile operator Yettel, as well as radio stations and websites. All this contributes to the concentration of the Bulgarian media market, especially in television and telecommunications. At the same time, despite the existing legal provisions, many media outlets, particularly online media, still do not disclose information on their ownership and financing to the public. Local media continue to face serious economic challenges. In 2023, Bulgaria ranked 71st in the Reporters Without Borders ranking (91st in 2022). Due to political instability, anticipated changes in media regulation, such as the revision of the funding mechanism for public-service media, have not been implemented yet.

- **Regulatory environment.** The work of electronic media is regulated by the Radio and Television Act (promulgated in 1998; last amendment in 2023). The Council for Electronic Media (CEM) is the national regulator in the media field. The CEM was established in 2001. It succeeded the National Council for Radio and Television. The CEM consists of five members, three elected by the Parliament and two appointed by the President. The term of office of the members is six years. The CEM also regulates video-sharing platform services (following amendments to the Radio and Television Act in December 2020). Print media are not subject to a separate press law; aspects of print media are regulated by copyright law, criminal law, etc. Media self-regulation is supported by the National Council for Journalistic Ethics Foundation, established in 2005. The Code of Ethics of the Bulgarian Media was adopted in 2004. The Foundation maintains the Journalistic Ethics Commission which reviews and rules on complaints against print media, news agencies, online news sites, audiovisual and radio service providers. In 2023, there were significant legislative changes: amendments to the Criminal Code regarding crimes against reputation (defamation and insult), the transposition of Directive EU 2019/1024 on open data and the re-use of public sector information (Open Data Directive), Directive (EU) 2019/1937 on the protection of persons who report breaches of Union law (Whistleblower Directive), and Directive (EU) 2019/790 on copyright and related rights in the Digital Single Market.
- **War in Ukraine.** Russia's ongoing war in Ukraine continues to have a serious impact on the information landscape in Bulgaria. In February 2023, Bulgaria suspended the broadcasting of several more Russian TV channels as part of a coordinated effort within the EU to counter Russian propaganda (Nova.bg, 2023). Nevertheless, disinformation and populism remain widespread, particularly on social media. Media fact-checking initiatives are still insufficient to significantly impact the nature of information flows in the context of the ongoing war. According to some analysts, Bulgaria is the most vulnerable to Russian propaganda among EU countries (Clubz.bg, 2023).

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

Bulgaria: Media Pluralism Risk Areas



JS chart by amCharts

EUI CENTRE FOR MEDIA
PLURALISM AND
MEDIA FREEDOM
MPM 2024

As in the previous MPM edition, there are high risks for media pluralism in the areas of **Market Plurality** and **Social Inclusiveness**. The two areas with medium risk are **Fundamental Protection** and **Political Independence**. Changes in the average score of the individual areas are up to 5 percentage points compared to MPM2023. The overall risk to media pluralism has increased by 2 percentage points (66% in MPM2024 compared to 64% in MPM2023). Important issues remain unresolved: slow or delayed reforms in legislation, failure to monitor and prevent media concentration in practice, insufficient levels of editorial autonomy across all media sectors, widespread disinformation and hate speech, inadequate protection of the journalistic profession, and lack of positive developments to strengthen the independence of the public-service media (PSM).

All indicators within the area of **Fundamental Protection** (average risk of 51%) score medium risk. The overall risk level in this area has increased compared to MPM2023 (46%). The main problems here are identified in the indicators Journalistic profession, standards and protection (61%), including the sub-indicator on physical safety of journalists (83%), Universal reach of traditional media and access to the internet (58%), and Protection of freedom of expression (55%). The indicator Independence and effectiveness of media authority shows the same level of risk (37%) as in MPM2023. The media regulator continues to raise serious concerns due to controversial statements by some of its members, public criticism, and a lack of trust within the body itself. Overall, as in previous years, the risks to media pluralism in Bulgaria stem mainly from the fact that the legal framework is often not effectively implemented in practice and that freedom of the media and journalists' rights are violated. Against this background, there are positive steps such as amendments to the Criminal Code regarding crimes against reputation (defamation and insult), the transposition of Directive EU 2019/1024 of the European Parliament and of the Council of 20 June 2019 on open data and the re-use of public sector information (Open Data Directive), and Directive (EU) 2019/1937 on the protection of persons who report breaches of Union law

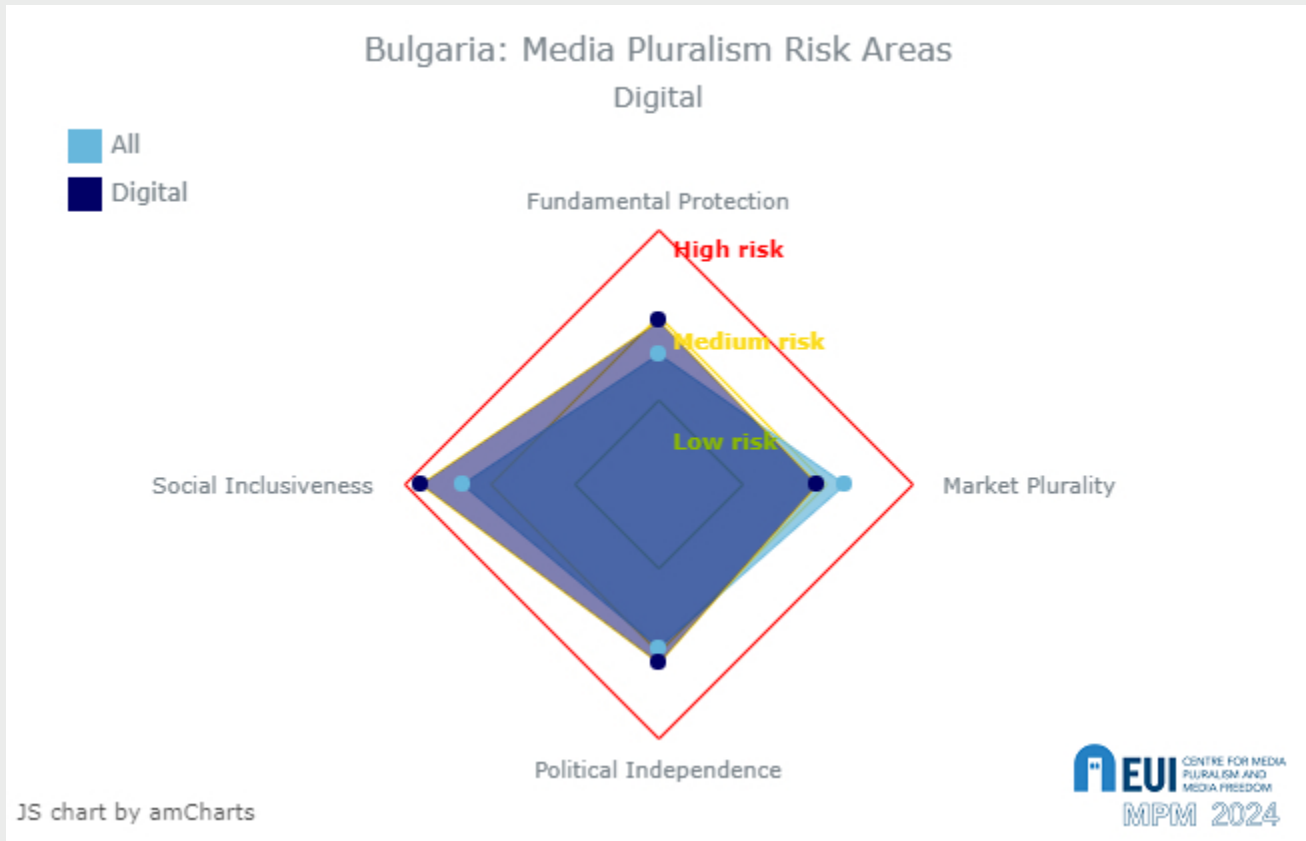
(Whistleblower Directive).

The **Market Plurality** area (73%, high risk) is the area with the second highest concentration of risk in the present MPM assessment (only the Social Inclusiveness area scores a higher risk, 77%). In practice, the risk remains almost unchanged from MPM2023 (76%), with a slight decrease of 3 percentage points. Three of the indicators point toward a particularly high risk: Plurality of media providers (96%), Editorial independence from commercial and owners' influence (88%), and Plurality in digital markets (78%). The overall score for Media viability also remains at an alarmingly high level (76%). Bulgaria is still failing to resolve the main problems related to the protection of market plurality. The risks arise mainly from the lack of sector-specific rules to prevent a high degree of concentration, the lack of market data, the lack of sustainable funding opportunities, and the lack of safeguards against commercial and owner influence over editorial independence. Particularly concerning is the deteriorating state of the local media market. A positive trend is related to the steady improvement in recent years of the transparency of media ownership (29% risk, same level as in MPM2023). However, there are still unresolved issues in this respect, and, despite the legal requirements, many media outlets, particularly digital news media, do not declare their ownership.

Significant risks to media pluralism in Bulgaria have also been identified within the **Political Independence** area. After some positive changes that were attributed to the easing of the drastic political pressure observed in previous years, the ongoing political instability creates a situation of uncertainty. The overall level of risk has slightly increased (64%, medium risk, compared to 60% in MPM2023), due to methodological adjustments and the reconsideration of legal safeguards for news agencies against political influence. As in the previous year, the indicator with the highest risk score in this area is Independence of public service media (94%), reflecting the persistent concerns about the autonomy of the Bulgarian National Television (BNT). The indicator Editorial autonomy also remains in the high-risk zone (75%). Only the indicator Audio visual media, online platforms and elections has a low level of risk (27%).

The **Social Inclusiveness** area (77%, high risk, compared to 73% in MPM2023) is the area with the highest concentration of risk in the present MPM assessment. Four out of five indicators in this area point to a high risk: Protection against disinformation and hate speech (90%), Local/regional and community media (88%, compared to 75% in MPM2003), Representation of minorities in the media (72%), and Media literacy (70%). The indicator Gender equality in the media retains the same level of risk as in MPM2023 (64%). The disturbing conclusions on the insufficient protection against disinformation and hate speech are largely due to the effects of Russia's war on Ukraine. Local and regional media continue to face alarming challenges in terms of independence and sustainability. At the same time, minorities and women are still not fairly represented in the media, and, despite some partial improvements over the last three years, people with disabilities still do not have adequate access to media content. Overall, the risk in the area of Social Inclusiveness remains worryingly high, which calls for urgent actions.

Focus on the digital environment

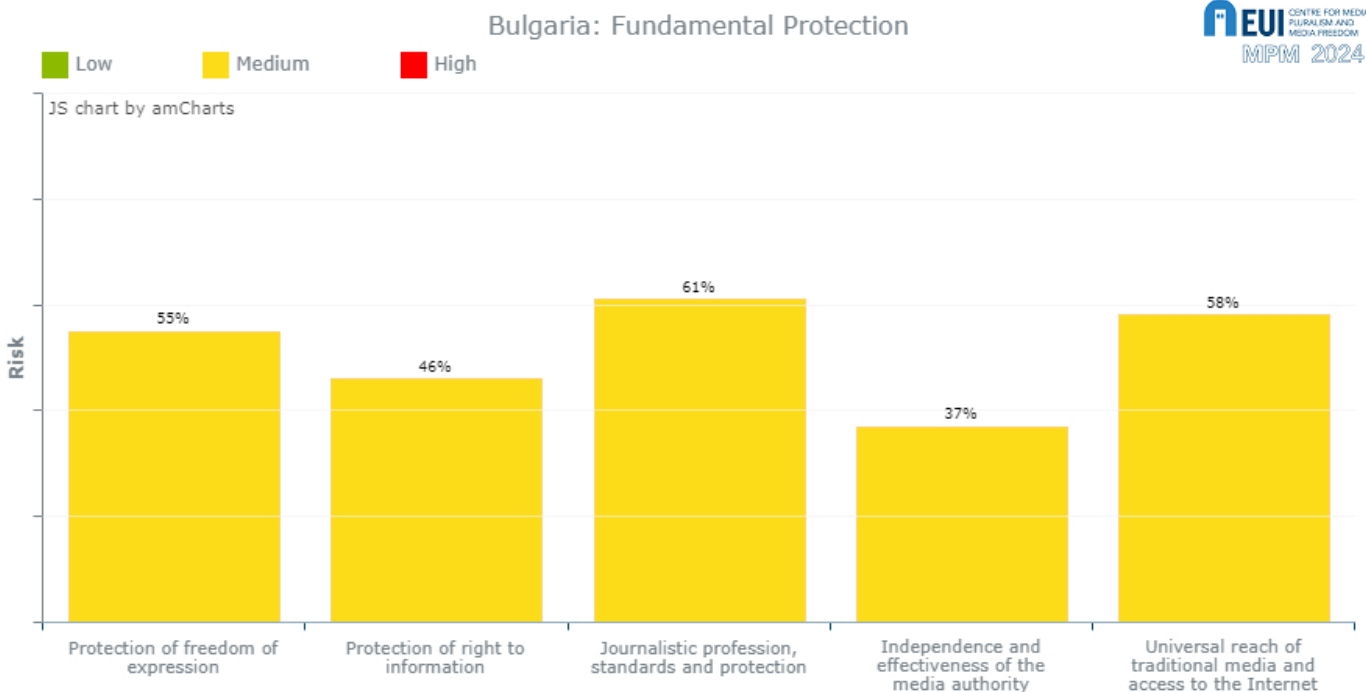


The average digital-specific risk scores in the present MPM assessment point to a high risk, with a slight deterioration compared to the previous MPM edition. Again, the two areas in the high-risk band are **Social Inclusiveness** (94%) and **Political Independence** (70%). The other two areas score medium risk, both very close to the high-risk band: **Market Plurality** (62%) and **Fundamental Protection** (64%). As in the previous MPM assessment, the average digital-specific score (73%) is higher than the country's average score for all indicators (66%). The online environment continues to generate some of the most serious risks to media pluralism in Bulgaria.

Of greatest concern regarding the **Fundamental Protection** area are the continuous attacks to freedom of expression online. Critical online news media and investigative journalists are subject to SLAPPs and external pressure by corporations and businesspersons, while fact-checkers face online harassment by political figures. Controversial practices of blocking and removal of content by online platforms continue to trigger public criticism. The risks in the **Market Plurality** area stem mainly from the fact that, as in previous years, not all digital media disclose information on their ownership and financing, and that the exact level of market concentration in the online media sector cannot be estimated due to lack of data. The risk monitoring in the **Political Independence** area points out the presence of political control over online news media, including over leading local and national news sites. In addition, transparency of online political advertising remains insufficient. The **Social Inclusiveness** area continues to be the most problematic due to the widespread disinformation and hate speech on the internet, including on popular news sites, amid the low level of media literacy in Bulgaria. The existing legal provisions against hate speech, self-regulation standards against inaccurate reporting, and initiatives by civil society organisations (CSOs) to tackle disinformation are not effective enough.

3.1. Fundamental Protection (51% - medium risk)

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



For the second consecutive year, there has been an increase in the risk score of the Fundamental Protection area, compared to the previous edition of the MPM, reaching the highest risk since 2016 (51%). This is a worrying trend that shows that even the fundamental guarantees for media pluralism are fragile. The main problems remain related to the state of the journalistic profession and the protection of media freedom. The media regulator continues to raise serious concerns in the context of controversial statements by its chairperson and a lack of trust among its members. In addition, Bulgaria does not meet the thresholds set out in the MPM methodology for low risk on access to public service media and the internet.

There is no change in the risk score of the indicator **Protection of freedom of expression** (55%) compared to the previous MPM assessment. Despite some new developments, the overall picture remains mixed. Freedom of expression is recognised in Bulgarian legislation.^[2] Restrictions upon freedom of expression are defined in the Constitution, the Criminal Code, and the Radio and Television Act, and are generally in line with Article 10(2) of the European Convention on Human Rights (ECHR). However, there are some deficiencies regarding the proportionality of such restrictions. In 2023, there were two judgements of the European Court of Human Rights (ECtHR) with Bulgaria as the respondent State under Article 10 of the ECHR. One ruled “no violation” (Zhablyanov v. Bulgaria, ECtHR, 2023a),^[3] and the other ruled “violation” (Mestan v. Bulgaria, ECtHR, 2023b).^[4] Bulgarian citizens can enjoy legal remedies in cases of infringement of their freedom of expression.

In 2023, the legal framework for crimes against reputation (defamation and insult) in the Criminal Code was significantly amended, providing for harmonisation with the case law of the ECtHR in cases of defamation of a public official or a representative of the public, in or on the occasion of the performance of their duties or functions.^[5] A new provision (Article 148(1)(5)) explicitly stipulates for heavier sanctions in the case of insult on racist or xenophobic grounds. The lower limit of fines was reduced: for insult from BGN 3,000 to BGN 500 (EUR 250), and for defamation from BGN 5,000 to BGN 1,000 (EUR 500), including if the subject of defamation is a public figure. Following warnings that media and journalists in Bulgaria are subjected to “legal pressure” (OBCT, 2023), “increasingly sued for defamation” (CoE, 2023a: 52), and need protection from “abusive court proceedings on defamation grounds” (OSCE, 2023: 18), Reporters Without Borders welcomed the amendments to the Criminal Code (RSF, 2023a). As a whole, however, there are persisting risks to freedom of the media and journalists. Local and international monitoring organisations continue to report systematic violations. Although Bulgaria has improved its ranking in the Reporters Without Borders (RSF) World Press Freedom Index from 91st in 2022 to 71st in 2023, it is still among the EU countries with the lowest positions in the ranking and with “fragile and unstable” media freedom (RSF, 2023b). In 2023, as in previous years, there were cases of verbal aggression and discrediting by politicians against journalists, as well as blocked access of journalists to events and information, and police violence against protesting citizens and media reporters (AEJ, 2023a, 2023b; ECPMF, 2023a).

The risk score of the indicator **Protection of right to information** remains the same as in the previous MPM edition (46%). There are existing legal provisions guaranteeing the right to information,^[6] for appeal mechanisms in cases of denials of access to information,^[7] and for restrictions to freedom of information on grounds of protection of privacy in accordance with international standards.^[8] In 2023, Directive EU 2019/1024 of the European Parliament and of the Council of 20 June 2019 on open data and the re-use of public sector information (Open Data Directive) was transposed into Bulgarian law by the Act amending and supplementing the Access to Public Information Act (APIA). Among other provisions, the amendments: provide for a number of new concepts and additional obligations for public sector bodies; bring research data to the fore as a type of data of recognised importance; build a link between open data and personal data protection, and between open data and intellectual property rights on databases (State Gazette, 2023). At the same time, experts point out the need for other policy and legislative measures (AIP, 2023: 8–9), including: accession to the Council of Europe Convention on Access to Official Documents (CETS No. 205); reintroducing cassation appeals against the decisions of administrative courts; obligations for the institutions to publish consolidated versions of the amended and supplemented regulatory or general administrative acts issued by them; regular training for public administration staff responsible for compliance with the APIA. As for access to information in practice, the positive tendency of active publication of information on the websites of the institutions continues (AIP, 2023: 30). However, there are also cases of refusal of information by institutions. Of additional particular concern is the increasing number of cases of blocked access of journalists to events and information by institutions and political parties, which creates additional difficulties for journalists in practising their profession.

In 2023, Bulgaria eventually transposed Directive (EU) 2019/1937 on the protection of persons who report breaches of Union law (Whistleblower Directive) by adopting the Whistleblower Protection Act (in force since 4 May 2023). The central authority responsible for the reception of alerts under the Act and the filing of reports to the competent authorities for verification and follow-up is the Commission for Personal Data Protection (CPDP). The CPDP (2023) has published clarifications and guidelines on the submission of alerts and has organised public discussions on the new regulations and the Commission’s non-normative acts. CSOs have also undertaken steps for whistleblower protection (e.g. Transparency International Bulgaria, 2023; Anti-Corruption Fund, 2023a). While it is still early to assess the effectiveness of the legal

framework in practice, it remains difficult to track cases of arbitrary sanctioning of whistleblowers due to controversial information and lack of hard evidence. Against this backdrop, in January 2024, the case of Nataliya Stancheva, a former employee of the Kozloduy NPP, Bulgaria's only nuclear power plant, caused public alarm. The Kozloduy NPP filed a lawsuit for BGN 500,000 (approx. EUR 250,000) against Stancheva and her mother after Stancheva's revelations that a polyclinic was operating on the territory of the NPP in violation of the law. CSOs called on the Kozloduy NPP to drop its lawsuit (AEJ, 2024); subsequently the Kozloduy NPP withdrew the claim.

The indicator **Journalistic profession, standards and protection** has the highest risk score in the Fundamental Protection area with 61% (59% in MPM2023). The change in score is due to the increase in risk on the sub-indicator on physical safety. In 2023, there were physical attacks against journalists, while in the previous MPM assessment mainly threats were recorded. On 16 November 2023, at least seven reporters and photojournalists were physically assaulted by police while covering a protest against the leadership of the Bulgarian Football Federation (ECMPF, 2023b; CoE, 2023b). Also, a Darik Radio sports journalist was briefly detained by police while covering the protest (ECMPF, 2023c). In addition to these cases, in 2023 there were at least three cases of physical threats against women journalists, which were condemned by the journalistic community and monitoring organisations (ECMPF, 2023d, 2023e; Stamatis, 2023; AEJ, 2023c; CEM, 2023a). In two of these cases, the threats were made by activists of the Vazrazhdane party. Against this background, impunity of perpetrators of crimes against journalists continues to be a systematic problem causing insecurity and anxiety among journalists (WCIF, 2023). The lack of anti-SLAPP legislation is another pressing issue, particularly given the disturbing tradition of SLAPP cases in Bulgaria (Anti-Corruption Fund, 2023b; AEJ, 2024). Journalistic sources are not effectively protected in practice, despite the existing legal provisions for their protection.^[9] On 7 April 2023, for example, the Sofia City Prosecutor's Office published a transcript of private chat conversations between BIRD investigative journalist Dimitar Stoyanov and one of his sources. The case sparked critical reactions from local and international organisations (AEJ, 2023d; BlueLink, 2023; OBCT, 2023). Unfavourable working conditions for journalists are still widespread. According to the "Worlds of Journalism Study", "only 61% of journalists in Bulgaria receive all of their income from their work as journalists. Between two-thirds and one-third of the rest earn extra from public relations, corporate communications and/or advertising" (WCIF, 2023). Particularly worrying is the situation with local and regional media, where delayed or unpaid wages and violations of labour and social security legislation take place (AEJ, 2023e; Spassov et. al., 2024: 26). In addition, in December 2023 parliamentary reporters from various media outlets sent an open letter to the President of the National Assembly, describing the unfavourable conditions under which they have to cover the work of the National Assembly.^[10] Although journalists' organisations have been active in defending editorial independence and compliance with professional standards, their impact is not yet strong enough to trigger large-scale improvements in the media environment.

The indicator **Independence and effectiveness of the media authority** scores a risk of 37%, the same as in the previous MPM edition, where a noticeable deterioration of the risk score was recorded. In 2023, there were no changes in the composition of the CEM. By law, two of its members are appointed by the President of the Republic, and the other three are elected by the National Assembly. As in 2022, in 2023 there were again concerns about the independence of the CEM and particularly about Sonya Momchilova, who was re-elected as chairperson of the media authority. Momchilova's re-election was not supported by two of the CEM members, Prolet Velkova and Simona Veleva, on the grounds of "communicational, reputational and administrative reasons" and that Momchilova's public statements were "in serious contradiction with the CEM's mission" (Vassev, 2023). In June and July, journalists, human rights activists and the Ukrainian embassy in Bulgaria condemned Momchilova's statements on media coverage of the war in Ukraine as

unacceptable and as denying or ignoring the mass killings in Bucha (AEJ, 2023g; Gigov, 2023); two CEM members (Toncheva, 2023) and a group of journalists (Dnevnik, 2023) demanded her resignation. In December, the National Assembly adopted the sixth amendment to the Constitution (National Assembly, 2023). According to the new Article 91b, “(1) The National Assembly shall observe the principles of openness, transparency, publicity and justification upon the election of members of bodies whereof all or part are elected thereby, in order to guarantee their independence. (2) The passage of a resolution on any such election shall require a majority of two-thirds of all National Representatives where so provided for by a law.” The new provision requiring a qualified majority for the election of members of regulatory bodies aims to better guarantee the independence of regulators such as the CEM, where so provided for by a law. To this end, the Radio and Television Act needs to be amended accordingly. Currently, CEM members of the parliamentary quota are elected by the National Assembly by a simple majority. There is no progress on Article 30, section 4 of the EU Audiovisual Media Services Directive 2018/1808 regarding the adequate financial and human resources provided to the national regulatory authorities; the provision has not been transposed yet.

The risk score of the indicator **Universal reach of traditional media and access to the internet** has increased from 33% to 58%. This is due to methodological changes, including changes in the data sources. Bulgaria does not meet the low-risk thresholds for PSM coverage (>99% of the population), broadband coverage (>98% of the population) and broadband subscription (>95%), indicating 97%, 94% and 89% (NSI, 2023c) respectively. The combined market share of the top four ISPs in the country is 74%.

Focus on the digital environment

The digital-specific score in the Fundamental Protection area indicates medium risk (64%) with an increase in risk of 11 percentage points. This is due to the introduction of new risk level thresholds for broadband access in the MPM methodology.

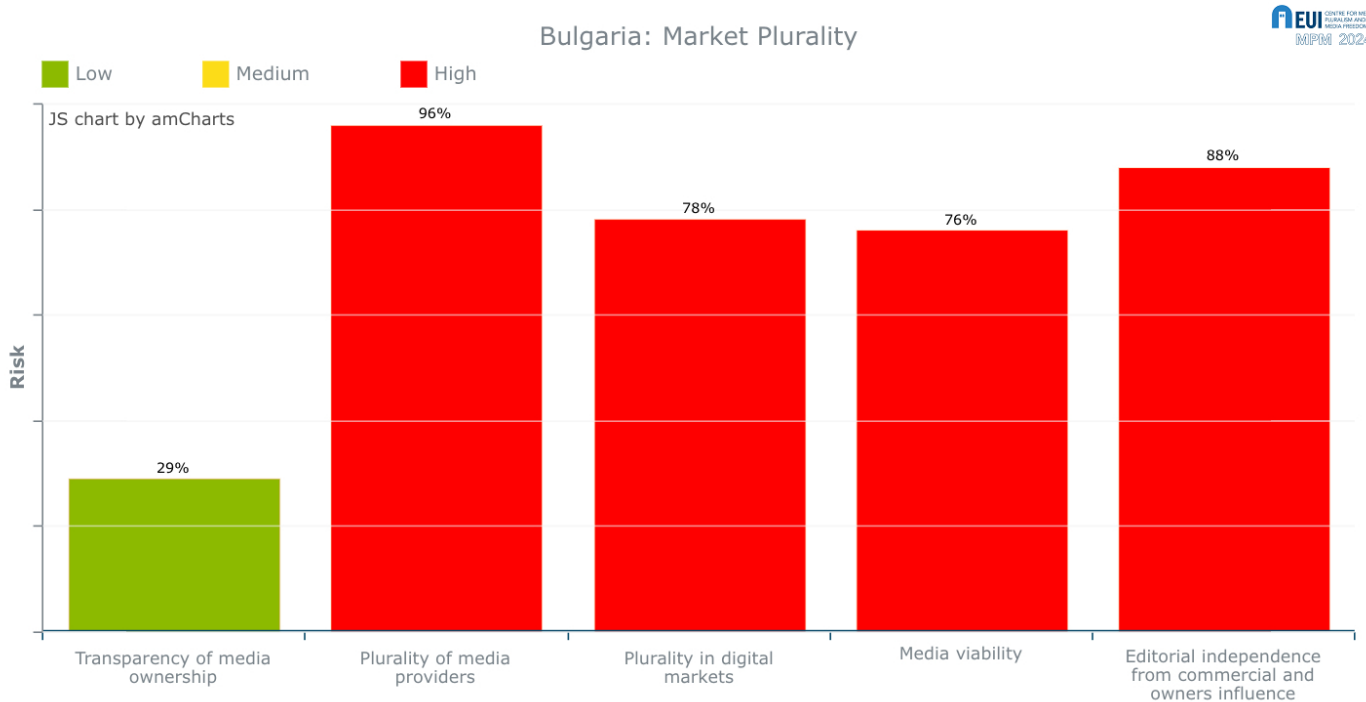
Freedom of expression online is guaranteed on the same grounds as freedom of expression in general. The state does not restrict access to social media or other internet platforms. Legal blocking of media content is allowed on the grounds of the Excise Duties and Tax Warehouses Act (Art. 99) and the Gambling Act (Art. 17). There are legal provisions for net neutrality (Art. 4–5 of the Electronic Communications Act) and Bulgarian ISPs manage network traffic in a transparent, impartial and neutral way.

Online platforms, however, are not fully transparent about removal of content. According to Meta's transparency report for July 2022 – June 2023 (Meta, 2023), the company restricted “access in Bulgaria to 1 item for alleged violations of local laws” and “access to 257 items that represented Russian state-controlled media sources due to European Union-imposed sanctions”. A full repository of the cases is not available. In many cases, users complain about unmotivated actions by moderators. A study (Antonov et al., 2023: 3) points out “the dubious content-moderation policy of Facebook in Bulgaria”, resulting in silencing, taking down of content and even blocking of accounts, especially of activists supporting Ukraine. In late 2022 and early 2023, controversies regarding Meta's content moderation in Bulgaria sparked a public outcry.^[11]

Attacks against freedom of speech online persist. Critical online news media and investigative journalists are subjected to SLAPPs and external pressure by corporations and businesspersons (Anti-Corruption Fund, 2023b; Marchenko, 2023; Project Oasis, 2023). Fact-checkers continue to face online threats: in 2023, journalists with the Factcheck.bg platform were subjected to online harassment on social media by members and supporters of the pro-Russian political party Vazrahane (AEJ, 2023h). Moreover, there are indications that communication of journalists is surveilled, as evidenced by the case of BIRD journalist Dimitar Stoyanov, whose private communication with a source was published by the Sofia City Prosecutor's Office.

3.2. Market Plurality (73% - high risk)

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



Market Plurality continues to be one of the most problematic areas for Bulgaria, with four indicators scoring high levels of risk. Compared to MPM2023, there are changes in the scores of the four high-risk indicators and a decrease of 3 percentage points in the area's overall score. This is partially due to some methodological changes in MPM2024. Another reason is the lack of data on many media market aspects, which is a serious risk in itself. Other persistent problems include insufficient or ineffective regulatory and/or self-regulatory measures to prevent concentration and to protect journalists and editorial content from undue commercial influence.

The indicator **Transparency of media ownership** is the only one within the Market Plurality area scoring low risk (29%). As in previous years, the good score is due to the existing legal framework. Media service providers are obliged to declare ownership details (Compulsory Deposit of Printed and Other Works Act; Radio and Television Act; Measures Against Money Laundering Act), including their ultimate owner, as well as the funding received, its amount and grounds, including details of the entity that provided the funding (Art 7a(3) of the Compulsory Deposit of Printed and Other Works Act). However, not all media organisations declare the ultimate owner of the company and the sources of funding under the obligations set by the Compulsory Deposit of Printed and Other Works Act.^[12] As a result, publicly available information on media ownership and financing is not fully sufficient. In 2023, there were no significant improvements in this respect.

The indicator **Plurality of media providers** scores a very high risk of 96% (88% in the previous edition). This is the highest risk score in the present MPM assessment. The increase in risk is mainly due to the extended shortage of key market data (the lack of key data is evaluated as a risk in itself in the MPM methodology). The overall high risk is a result of the combination of a lack of market share data based on all revenues, a lack of specific thresholds to prevent a high degree of concentration of ownership (in all media sectors and cross-sector), and high audience concentration in the TV and radio sectors (81% and 77% of the top four TV and radio groups respectively) (Media Connection, 2024a, 2023). There is also an indication of high market concentration in the audiovisual sector: the combined advertising revenue share of the four leading TV groups is 90% (Media Connection, 2024b).

Plurality in digital markets shows a noticeable risk reduction of 14 percentage points, although it is still in the high-risk range (78%). At the end of 2023, Bulgaria transposed two directives: Council Directive (EU) 2523/2022 on ensuring a global minimum level of taxation for multinational enterprise groups and large-scale domestic groups in the Union, and, more than two years after the transposition deadline, 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. These changes account for the partial improvement of the risk score. There is not yet any information on the progress on the implementation of the directives. Furthermore, the situation remains unchanged with regard to the prevention of ownership concentration and online advertising market concentration. In both cases, there are no competition rules that take into account the specificities and the digital evolution of the media sector. The actual level of concentration in the online advertising sector is difficult to track due to the lack of sufficient data.

Media viability scores a high risk of 76% (79% in the previous MPM edition). The slight improvement of the risk score is due to the assessment of working conditions for freelance journalists: worsening in MPM2023, and stationary, although still unfavourable, in MPM2024. The evaluation of advertising revenue dynamics (BACA estimates, 2023) shows an upward trend for the TV (projected 5% growth in net advertising revenue for 2023 compared to 2022) and radio (projected 4% growth) sectors, and a downward trend for the newspaper sector (projected 10% decline). In addition, there has been an upward trend in total revenues in the audiovisual and radio sectors in recent years (NSI, 2023b). However, when compared with GDP and inflation trends in Bulgaria, the composite assessment shows a medium risk for the TV and radio sectors, and a high risk for the newspaper sector. The sustainability and viability of local media continue to deteriorate. The findings of the Local Media for Democracy project for Bulgaria (Spasov et al., 2024) confirm the trends of declining resources in the local media sector, a shrinking local advertising market, and an unhealthy dependence of the media on local parties and administrations as a source of funds. There are no favourable public support schemes for the news media sector in particular. Newsroom innovations to address the challenges of the new digital environment remain limited in scope and oriented toward the production of video content and podcasts.

Editorial independence from commercial and owners' influence has a risk score of 88%, down 4 percentage points from the previous MPM edition, but with changes in the questionnaire, including new variables. Four variables point to a medium risk. They focus on the presence and effectiveness of measures stipulating that: journalists and/or media outlets should not be influenced by commercial interests; the exercise of the journalistic profession is incompatible with activities in the field of advertising; advertorials or other forms of disguised advertisement are prohibited; news organisations should follow a clear separation between editorial and commercial activities. Although such measures exist,^[13] they are often violated in practice. The majority of variables point to a high risk. There are no mechanisms granting social protection to journalists in case of changes of ownership or editorial line. This leads to marginalisation and/or

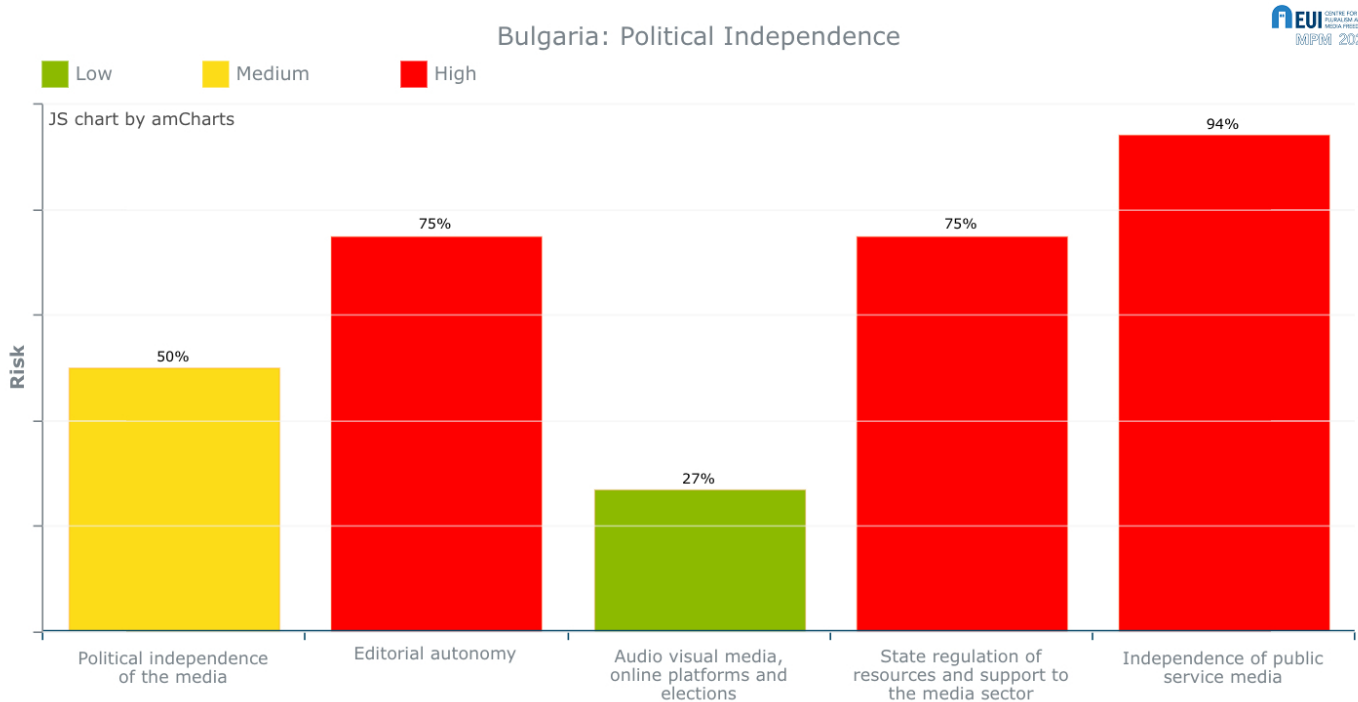
resignation of critical journalists. In October 2023, journalists quit Euronews Bulgaria TV en masse after structural and personnel changes in the editorial management (Fileva, 2023). There are also no explicit regulatory safeguards to ensure that decisions regarding appointments and dismissals of editors-in-chief are not influenced by commercial interests. In addition, there are no measures in accordance with the Commission Recommendation (EU) 2022/1634 of 16 September 2022 regarding protection against arbitrary dismissal or disciplinary action in cases where journalists refuse assignments that they consider to be against professional standards. In many cases, including leading media companies, media owners have interests and activities in non-media businesses (financing and investments in various business sectors, telecommunications, real estate, among others). This results in a lack of critical coverage of the non-media businesses of the media owners. Overall, the risk to editorial independence remains high, with continuing systematic practices of media owners and other commercial entities influencing editorial content.

Focus on the digital environment

The digital variables in the Market Plurality area score a medium risk of 62%. The monitoring confirms the observations from the previous MPM edition. Although digital news media are required to disclose ownership details (Compulsory Deposit of Printed and Other Works Act; Measures Against Money Laundering Act), there are still many news outlets that neither declare their ownership nor publish relevant information on their website. This is particularly the case with anonymous websites that spread disinformation.^[14] Once again, the precise level of market concentration in the online media sector and the revenue dynamics in the digital native news media cannot be evaluated due to a lack of data. This prevents an assessment of the economic sustainability of digital media. Against this backdrop, innovations in the sector are limited in scope. Media attempts to expand their outreach and portfolio are mainly related to video production and content distribution on social media channels.

3.3. Political Independence (64% - medium risk)

The Political Independence indicators assess the existence and effectiveness of regulatory and self-regulatory safeguards against political bias and political influences over news production, distribution and access. More specifically, the area seeks to evaluate the influence of the State and, more generally, of political power over the functioning of the media market and the independence of the public service media. Furthermore, the area is concerned with the existence and effectiveness of (self)regulation in ensuring editorial independence and the availability of plural political information and viewpoints, in particular during electoral periods.



The average score in the Political Independence area is 64%, which shows medium risk, albeit very close to the high-risk band. The indicators most at risk are, respectively, Independence of public service media, Editorial autonomy, and State regulation of resources and support to the media sector. The lack of improvements in these indicators continues to raise concerns. The framework for media coverage of elections is the least problematic.

The indicator **Political independence of the media** scores a medium risk of 50%, which is an increase of 8 percentage points compared to the previous MPM assessment. The overall picture remains unchanged. The slight increase in risk is due to the broadened scope of the assessment on guarantees of independence of news agencies from political influence: the Bulgarian News Agency (BTA) is the only news agency with legal safeguards (under the BTA Act), while private news agencies are not provided with such safeguards, which points to legal shortcomings. The law does not explicitly prohibit politicians and parties from owning audiovisual media. Among party-affiliated televisions are Alfa TV, 7/8 TV, and BSTV.^[15] The law provides for the freedom of media service providers and their editorial activities from political interference,^[16] as well as broad, not sector-specific, limitations against conflict of interest.^[17] In practice, however, the media landscape in Bulgaria still lacks adequate protection from conflict of interest (Dzhambazova, 2022: 28; RSF, 2023b). In 2023, there were no significant developments in this regard. Political influence over editorial independence affects all media sectors (audiovisual, radio, newspaper and digital native media). Particularly significant in 2023 was the case of Anton Hekimyan, Director of News, Current Affairs and Sports at bTV until 23 September 2023 (bTV, 2023a). On 25 September 2023, GERB, the leading party in the country, surprisingly

nominated Hekimyan as its candidate for mayor of the capital city of Sofia. Experts and journalists interpreted Hekimyan's candidacy as a sign of political influence in the media, questioning the relationship between GERB and bTV over the years and the boundaries between media and power (e.g. Vasileva, 2023; Paunova, 2023). In an urgent measure to repair the reputational damage, bTV Media Group released a public statement, pointing out its willingness to report the news impartially and objectively and to use the services of a third-party agency to monitor the objectivity of news coverage during the election campaign (bTV, 2023b). In April 2023, the BSP's television, BSTV, temporarily suspended broadcasting on the grounds that it was changing studios, and continued streaming on its YouTube channel. In January 2024, other media reported that the BSP had taken a decision, although not officially confirmed, to permanently cease BSTV's operations due to financial difficulties (24 chasa, 2024).

As in previous years, the risk score of the indicator **Editorial autonomy** is 75%, high risk, with no significant positive developments in 2023. There are no common regulatory safeguards to guarantee autonomy in appointing and dismissing editors-in-chief. The self-regulatory Code of Ethics of the Bulgarian Media stipulates measures for editorial independence from political interference. There are also internal codes of ethics in the public service media and in some of the large private media. In practice, however, self-regulation remains insufficient and not effective enough to guarantee true editorial autonomy, and political influence continues to be a persistent problem.

As in the previous MPM edition, the indicator **Audiovisual media, online platforms and elections** scores the lowest risk with 27%. The legal framework (the Electoral Code) provides for: access to airtime on PSM and private channels for political actors during election campaigns; buying advertising space and participation in paid media formats by contestants during campaigns; indication of paid political content during a campaign so that the public is aware that the message is paid political advertising. The law is largely implemented effectively. In addition, the state provides financial resources for media packages in the amount of BGN 40,000 (approx. EUR 20,000) to parties and coalitions that are not entitled to a state subsidy under the Political Parties Act. This allows small parties to participate in paid media formats and to have greater visibility during election campaigns. Over the past few years, however, there have been criticisms that state-funded media packages are sometimes misused by political actors who redirect state funds to media outlets, usually websites, with questionable reputations and/or controlled by the political actor in question (IPED, 2023a).

Against this backdrop, media coverage of election campaigns in practice is mixed. There were two election campaigns in Bulgaria in 2023: early parliamentary elections on 2 April and local elections on 29 October (second round on 5 November). According to monitoring reports on the early parliamentary elections, BNT and the Bulgarian National Radio (BNR) acted in line with the law (OSCE 2023: 19), fulfilling their obligations of public-service providers and respecting the principle of equal treatment and impartiality (CEM, 2023b: 17, 25, 63–64). At the same time, there is clear criticism of legal restrictions and other practices: limited editorial freedom of BNT and BNR due to the strict requirements on them (OSCE, 2023: 19); engagement of journalists in the preparation of paid campaign material for political parties, which the OSCE describes as “a debasement of the journalistic profession discouraged by international professional norms” (ibid.: 19–20); hate speech and violation of good morals by “smaller and non-systemic parties [that] make full use of the airtime for free electoral forms/debates in the programmes of public media service providers” (CEM, 2023b: 3–4, 160). As regards the coverage of the elections in commercial media, the observations confirm the trend of previous years – that is, more balanced coverage by leading private audiovisual channels (CEM, 2023b; OSCE, 2023: 20) amid continuing examples of biased journalism on smaller TV channels (party TV channels such as 7/8 TV, BSTV and ALFA TV, but also some poly-thematic media

service providers) (CEM 2023b: 160–161).

In addition, apart from election campaigns, over the past few years journalists, experts and civil society organisations, among others, have repeatedly criticised the management and representation practices in BNT's informative programmes. Critical claims were made in 2023 as well (e.g. KlinKlin, 2023). In 2023, as in 2022, BNT and BNR's coverage of the war in Ukraine provoked mixed reactions, including from members of the CEM (CEM 2023c). Of particular concern regarding biased representation of political viewpoints, including spread of pro-Russian propaganda, has been the talk show "Politichesko NEkorektno" (Politically INcorrect) on BNR's leading channel Horizont.^[18]

State regulation of resources and support to media sector scores a high risk of 75% (an increase of 12 percentage points). The increase in risk is due to a correction in the variables on fair and transparent rules for the distribution of direct and indirect subsidies to media outlets: in the case of Bulgaria, there are no such subsidies for media outlets other than PSM, and therefore no rules for distribution. Spectrum allocation legislation is formally implemented effectively. Currently, there is a single national private multiplex that only broadcasts a small number of programmes, and the lack of competition has led to high prices for TV distribution through it. According to the Communications Regulation Commission (CRC, 2022: 24), there is "a continuing trend of declining use of digital terrestrial television in Bulgaria" and "no interest from the business sector in providing terrestrial television broadcasting services". Distribution of state advertising remains a serious problem. In 2023, meetings of the Council for the Implementation of the National Coordination Mechanism for the Rule of Law and a newly established expert working group (Ministry of Justice, 2023) on media environment and access to information under this Council were held. The expert group addressed the issue of transparency of state advertising and paid attention to two problematic exemptions. Following the exemption provided for in the Public Procurement Directive 2014/24/EU, Art. 13(1)(5) of the Public Procurement Act, the Act does not apply to contracts for the purchase of programme time or the provision of programmes which are awarded to media service providers. In addition, in 2023 a new provision in the Tourism Act was adopted (Art. 6a(1)), which states that the Minister of Tourism does not apply the provisions of the Public Procurement Act in cases where advertising is carried out by direct assignment to companies from a current list of designated very large online platforms or very large online search engines. Art. 6a(3) of the Tourism Act obliges the Minister of Tourism to publish on the ministry's website monthly reports with information on the funds spent, as well as on the effectiveness of advertising according to the effectiveness data provided by the platforms or search engines. In practice, the lack of an adequate legal framework on the transparency of allocation of state advertising continues to have a negative impact on the media sector, especially on local and regional media (Spasov et al., 2024: 26–27).

The indicator **Independence of public service media** maintains its score of 94%, which is a very high risk. The overall picture shows a lack of positive developments on the concerns identified in previous MPM reports. The procedure and requirements for electing Directors General of the PSM do not guarantee independence from government or other political influence. The current Director General of BNT, Emil Koshlukov, is still in office for an unspecified period of time after the CEM failed to elect a new Director General in 2022. The situation continues to provoke critical reactions targeted at both the BNT management and the CEM. There is also a lack of progress on the adoption of the amendments to the Radio and Television Act aimed at strengthening the independence and improving the funding mechanism of PSM. The Bill to amend and supplement the Radio and Television Act, which was elaborated in 2020^[19] to align the Radio and Television Act with the 2009 Communication from the Commission on the application of State aid rules to public service broadcasting, was included in the government's legislative programme for 2023, but has not been considered yet.

Focus on the digital environment

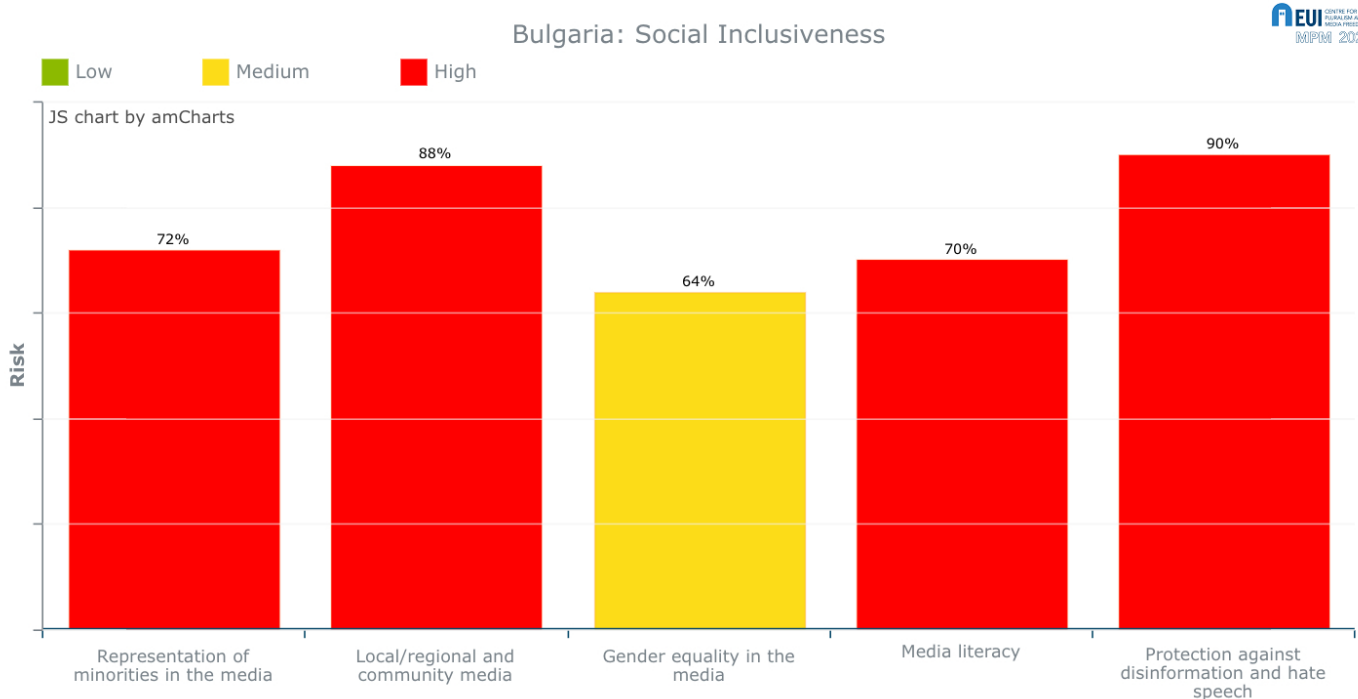
The average risk score of the digital variables within the Political Independence area is 70% (high risk). As in previous years, political control over the leading digital news media is difficult to prove. The trend of positive coverage of politicians by leading local and national news sites that are associated with the politicians in question or their families, continues.^[20] In addition, according to a study by the Center for the Study of Democracy (CSD, 2023), the popular news site blitz.bg is among the leading online pro-Kremlin outlets in Southeast Europe, which “continue to blanket the Balkan digital landscape with a constant stream of disinformation and other types of propaganda” and which are “virtually synchronized with the Kremlin’s talking points, and act as its local mouthpieces without any known investment of resources or direct ownership from Moscow.” There are also minor digital native news media with allegiance to political actors.^[21]

The scope of legal provisions in the Electoral Code for transparency of paid political content in online media during election campaigns does not cover online platforms. In practice, Facebook, the leading social media platform in the country for political agitation, provides information on the advertising expenditure of political parties. This allows CSOs and the media to report on such expenditure, although in some cases identifying candidates and parties is challenging (IPED, 2023b). Overall, there is insufficient information on all online platforms that disseminate political advertising. Since political parties and candidates are not obliged to provide on their websites information on the expenditure and targeting criteria for social media activities, they do not provide such information. The Central Election Commission and the Commission for Personal Data Protection take measures for the protection of personal data of individuals in the context of elections (CEC&CPDP, 2021).

By law, state funding for PSM is determined per hour of programming,^[22] without considering the PSM’s online public service missions.

3.4. Social Inclusiveness (77% - high risk)

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



The average level of risk in the area of Social Inclusiveness has continued to rise, and in this edition of the MPM this is the area with the highest risk: 77% (73% in the previous edition). Although the results are not fully comparable due to a few changes in the questionnaire (merging of variables and introduction of new ones), there are persistent issues leading to the high risk in the area. Disinformation is rampant, while media literacy in the country needs further strengthening. The state of local and regional media is very problematic. Media coverage of minority groups has shortcomings, and gender inequality in media representation is commonplace.

Representation of minorities in the media scores a high risk of 72%, which is an increase of 5 percentage points compared to last year's assessment. The slight increase in risk is due to the newly introduced question on the existence of a comprehensive diversity policy in the PSM. The Bulgarian PSM have only partial self-regulatory principles in this respect, covering programming content rather than personnel issues: general anti-discrimination principles related to respect for the individual (BNT, 2019), protection of vulnerable groups and especially children (BNR, 2019: 1), as well as taking into account the cultural, religious, ethnic, etc. diversity in the country in content production (BNR, 2022a: 2–3). Against this background, in the context of Bulgarian broadcasting practices in 2023, BNT and BNR continued to cover minorities relatively most adequately: in a “relatively tolerant” manner, with elements of a critical attitude mainly on the topics of ethnic-based voting in the ethnic Turkish minority and buying and selling of Roma votes (Kirilov, 2023). Sample monitoring of the online content of BNT and BNR indicates that the PSM are predominantly neutral in coverage of minority groups (Indzhov, 2023: 36–37). BNT broadcasts a daily nine-minute news bulletin in Turkish on its flagship channel BNT1. In June 2023, BNT started broadcasting on its website a daily nine-minute news bulletin in Ukrainian. Overall, however, the cultural and minority diversity in the country is not fully and sufficiently covered by the PSM. At the same time, there are more serious

deficits in the commercial TV and radio channels. Minorities' access to airtime in the mainstream media is not at all proportional to the size of their populations in the country. A report on the media representation of minorities and vulnerable groups shows that the focus is mostly on migrants from the Middle East and North Africa (62.92% of 739 identified news items in the online content of 13 media outlets), followed by Roma (13.4%) and LGBTI people (12.04%) (Indzhov, 2023: 8). In 2023, media interest in the issue of Ukrainian refugees in Bulgaria significantly decreased. In addition, although there are legal provisions for disability access services,^[23] and there have been positive developments over the last three years as identified in previous MPM assessments, in practice there are still significant deficits in terms of access to media content for people with disabilities. Media service providers need to increase the amount of accessible content for people with hearing impairments (CEM, 2022: 13), especially subtitled content (Choparova, 2023).

The risk score for the indicator **Local/regional and community media** is 88% (75% in the previous MPM edition). The 13-percentage-point increase in the average risk of the indicator reflects changes in the methodology, especially the introduction of a new variable on the presence or potential existence of so-called “news deserts”, which shows a high risk for Bulgaria. There are legal provisions^[24] for the Council for Electronic Media to issue individual radio and television broadcasting licences for national and regional programme services, but no legal provisions for reservation of frequencies or must-carry rules for regional and local media. There are no statutory regulations on the licensing or the functioning of community media. Overall, the state of local and regional media in Bulgaria continues to deteriorate. The results of the Local Media for Democracy project for Bulgaria (Spasov et al., 2024) confirm the most disturbing tendencies: a largely unsustainable local and regional media market, and widespread economic and political dependences leading to self-censorship. Rural areas are underserved in terms of access to local news, while the local media landscape in urban areas is very fragmented, with a decreasing number of regional newspapers over the past five years; the Severoiztochen (Northeastern) region is the area with the lowest number of local and regional media outlets in the country (ibid.). Against this backdrop, the state does not support local and regional media other than PSM with subsidies or other policy measures. BNT, BNR and BTA have networks of local correspondents across the country. However, the contribution of BNT's regional centres to its programme services remains peripheral and very limited. As a result of all infrastructural and editorial challenges in the sector, “[l]ocal and regional media content does not adequately meet the critical information needs of local communities” (ibid.: 28).

The risk score of the indicator **Gender equality in the media** remains unchanged (64%). Although there are some general requirements for anti-discriminatory content and practices at BNT and BNR,^[25] the PSM do not yet have a comprehensive gender equality policy providing for a balanced representation of women both in media production and in media content. In practice, while women journalists are well represented among PSM personnel, the average share of women on the management boards of the two public broadcasters indicates a high risk. The situation is more balanced in the private TV sector, with more women in top management positions. The share of women (38%) among editors-in-chief in the leading news media in the country shows a medium risk. As in previous years, representation of women in news and current affairs broadcasting content is mixed. Women are portrayed in the media both as professionals and in a stereotyped way. There is a lack of gender balance in coverage of political issues in particular. Mainstream media continue to invite more male than female experts to comment on political issues. While it may not be a matter of intentional discrimination, it is a systematic practice. The monitoring report by the CEM (2023b) on media coverage of the campaign for the parliamentary elections in April 2023 indicates that 74% male experts were invited to comment in informative and political programmes as opposed to 26% female experts.^[26]

The indicator **Media literacy** again scores a high risk of 70%. Bulgaria ranks last among EU countries in the Media Literacy Index 2023 (Lessenski, 2023). According to media literacy expert Igljika Ivanova (2023), positive steps in 2023 include: the inclusion of media literacy in the government's Governance Programme for the period from June 2023 to December 2024 (Council of Ministers, 2023); the signing of a memorandum initiated by the Media Literacy Coalition, the Council for Electronic Media and the Ministry of Culture, with the participation of the Association of Bulgarian Broadcasters – ABBRO; the CEM hosting a roundtable with stakeholders in the field of media literacy. At the same time, Ivanova draws attention to the fact that in a context of changes in the government and insufficient capacity of the public administration, there was no progress on the drafting of a national media literacy policy in 2023. Kristina Hristova (2023), President of the Media Literacy Coalition, sums up that “media literacy at the state level has so far only been present as part of strategic documents and no real steps have been taken to put into practice the documents in question.” The inclusion of media literacy in compulsory education curricula continues to be very limited and insufficient. Media literacy training for teachers is provided mainly by the Media Literacy Coalition (Ivanova, 2023; Hristova, 2023). Non-formal education in media literacy is provided by a number of CSOs, but still in an unsustainable, project-based way. Among the target groups of media literacy projects are children, young people, students, seniors, leaders in small communities, parents, and health mediators who work with minority groups (Hristova, 2023). “None of the government's policy areas provides for media literacy training for the employed, unemployed, and retired,” states Igljika Ivanova. As a good practice one can point out the training of civil servants in central and local administration in digital competence and capacity to deal with disinformation, carried out by the Institute of Public Administration (IPA, 2023: 97). Vulnerable groups are largely out of the scope of media literacy initiatives. Despite the efforts in the civil society sector, overall media literacy activities are insufficient and the level of media literacy in the country remains low.

The indicator **Protection against disinformation and hate speech** again scores a high risk of 90%. There are self-regulatory provisions against false and inaccurate information (Code of Ethics of the Bulgarian Media). Cooperation between different stakeholders to tackle disinformation is in its early stages. The Bulgarian Coalition Against Disinformation, set up in 2022, has so far functioned rather formally and has rarely initiated significant joint initiatives. According to Art. 13.2.26 of the government's Governance Programme for the period from June 2023 to December 2024, the fight against disinformation is a priority “given its direct and immediate importance for national security” (Council of Ministers, 2023). Against this background, Bulgaria is identified as “the most vulnerable to disinformation among EU countries”, based on the results of the Media Literacy Index 2023 (OSIS, 2023). There are professional fact-checking initiatives but their impact is still limited. Factcheck.bg, an independent platform dedicated solely to fact-checking, is transparent about its funding; other fact-checking activities are part of media organisations and are funded by the media and/or by projects, and project funding is usually transparent (Kovacheva, 2023; Georgieva, 2023). Monitoring and research initiatives^[27] on disinformation are still insufficient, given Bulgaria's low level of media literacy and high vulnerability to disinformation. The Kremlin's hybrid attacks in Southeast Europe, actions of Bulgarian politicians, and social media all play a role in the wide spread of disinformation (CSD, 2023; Kovacheva, 2023; Georgieva, 2023). The legal framework against hate speech^[28] is ineffective, while self-regulation and moderation of online content cannot tackle all instances of offensive language. Protection against hate speech in practice has not yet yielded positive results. Disinformation and hate speech continue to negatively influence public debate and cause social polarisation.

Focus on the digital environment

As in the previous MPM edition, the digital variables in the Social Inclusiveness area score a very high risk (94%) due to a combination of low media literacy, ineffective counteraction to disinformation and hate speech, and a lower than the EU average percentage of the population with basic or above basic overall digital skills.

4. Conclusions

The results of MPM2024 indicate significant risks to media pluralism in Bulgaria. There is a noticeable high risk in two of the four areas: Social Inclusiveness and Market Plurality. The area of Political Independence is now at medium risk along with the Fundamental Protection area. Nevertheless, some key indicators in the Political Independence area, such as Independence of PSM, Editorial autonomy, and State regulation of resources and support to the media sector remain highly problematic. Given these remarks, it can be concluded that, compared to MPM2022 and MPM2023, the overall situation of media pluralism in MPM2024 does not point to significant improvements. Even though there were legislative changes in 2023, there is still a need for a more precise revision of media legislation and better guarantees in practice for a vibrant and independent media environment.

The highest levels of risks per indicator are identified with regard to Plurality of media providers (96%), Independence of PSM (94%), and Protection against disinformation and hate speech (90%). These extremely high levels of risk are closely matched by problems in several other areas: Editorial independence from commercial and owners' influence (88%), Local/regional and community media (88%), Plurality in digital markets (78%), etc. Identified risks pervade core areas of media functioning, from independence and physical and digital safety of journalists to combating disinformation and ensuring long-term sustainability. These concerns apply to both traditional and online media environments.

Against this background, decreasing the risks to media pluralism is a matter of political will, taking into account both national specificities and the general framework of EU initiatives and policies in the media field, alongside more effective self-regulation.

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

- Information campaign to familiarise the media and the public with the newly adopted European Media Freedom Act (EMFA) and, where necessary, updating national legislation with the principles of the Regulation.
- Promotion of legal and institutional measures for better professional protection (including physical and online security) and working conditions of journalists (by CSOs, professional organisations, and media stakeholders).
- Improvement of legislation on the composition, functions and effectiveness of the Council for Electronic Media, the national media authority, by introducing effective measures for its independence, including amendments to the Radio and Television Act in accordance with the newly adopted Article 91b of the Constitution.
- Launching an information campaign in support of the adoption of the anti-SLAPP Directive, and preparation for its immediate transposition and implementation.
- Effective implementation of the Whistleblower Protection Act.
- Effective implementation of the newly transposed Directive EU 2019/1024 of the European Parliament and of the Council of 20 June 2019 on open data and the re-use of public sector information (Open Data Directive).

- Improved enforcement of the existing national and EU media legislation in practice.

In the **Market Plurality** area:

- Introduction of media pluralism criteria in line with the obligations provided for in the EMFA.
- Constant and sustainable monitoring of advertisers' and media owners' influence over editorial content, both offline and online, to help prevent commercial interference in the media (to be conducted by CSOs and by introducing self-regulatory measures).

In the **Political Independence** area:

- Further reassessment of the Radio and Television Act regarding PSM independence, remit, funding, and management, following the requirements of the Communication from the Commission on the Application of State Aid Rules to Public Service Broadcasting, adopted on 2 July 2009, OJ C 257 of 27 October 2009.
- Consistent implementation of the principles provided for in the EMFA for fair distribution of public funds/state advertising to the media.
- Effective support for measures and mechanisms to enhance editorial independence (through cooperation between CSOs and professional journalistic organisations).

In the **Social Inclusiveness** area:

- Reassessment of the public service remit of all public media services to better reflect the cultural and societal diversity in the country in line with the proposals set out in the Bill to amend and supplement the Radio and Television Act 102-01-16 (submitted by the Council of Ministers to the National Assembly on 23 February 2021).
- Further steps for more effective implementation of access to media content for people with disabilities (subtitling, signing and audio description) in accordance with Art. 8a of the Radio and Television Act.
- Introduction of policy measures to support regional and local media regarding their financial sustainability, distribution, political and economic independence (by the government, local authorities, CSOs).
- Further steps for effective integration of media literacy education in school curricula on the national level, fostering lifelong media literacy education, and providing media literacy activities to vulnerable groups.

Finally, as in all previous MPM reports, we stress the need for reliable and accessible media market data (market shares of owners in all media sectors, circulation and distribution figures, data on online media

consumption and concentration, etc.). Such data could be provided by transparent and unbiased state, private, or non-governmental institutions to guarantee the most precise monitoring and evaluation of media pluralism in Bulgaria.

5. Notes

- [1] In the course of finalising the report, the political situation in Bulgaria changed: the cabinet rotation failed, a caretaker government was formed and new early parliamentary elections were scheduled for 9 June 2024.
- [2] Art. 39–41 Constitution; Art. 11 Radio and Television Act.
- [3] The Case *Zhablyanov v. Bulgaria* refers to the removal of Valery Zhablyanov from the post of Deputy Speaker of Parliament in 2018 for speeches and behaviour justifying repressions of the communist regime.
- [4] The Case *Mestan v. Bulgaria* refers to the administrative fine imposed on Lyutvi Mestan, a candidate in the 2013 parliamentary elections, for breaching the Electoral Code on the grounds of use of non-official language (Turkish) at a public event in election campaigning.
- [5] Prior to the amendments promulgated in August 2023, the Criminal Code provided for a higher fine for insult of public officials and public figures than for insult of other individuals. In 2023, Art. 148(1)(3) of the Criminal Code was repealed.
- [6] Art. 41 Constitution; Art. 1 Access to Public Information Act; Art. 10 Radio and Television Act.
- [7] Art. 40–41 Access to Public Information Act.
- [8] Art. 41 Constitution; Classified Information Protection Act; the Personal Data Protection Act; and some sector laws.
- [9] Art. 15 Radio and Television Act; Art. 19 Access to Public Information Act.
- [10] Among the working conditions criticised by the reporters (AEJ, 2023f) are: unstable internet access, insufficiently well-equipped working area, difficulties in covering discussions in the plenary chamber, banned access of journalists to the area where the rooms of the parliamentary groups are located.
- [11] Media investigations reported a secret project for biased pro-Russian content moderation in Bulgaria (Tchobanov, 2023). In January 2023, there was a parliamentary hearing of representatives of Meta and TELUS International Bulgaria, the third-party contractor providing moderation services to Facebook in Bulgaria. It was subsequently reported that Meta eventually terminated its contract with TELUS International Bulgaria (BNR, 2023).
- [12] Monitoring by the Bulgarian country team for the purpose of the MPM of the data published in the public register maintained by the Ministry of Culture (2023).
- [13] Art. 11, 75 and 80 Radio and Television Act; Art. 3.1–3.4 Code of Ethics of the Bulgarian Media; Art. 68 Consumer Protection Act.
- [14] Monitoring by the Bulgarian country team for the purpose of the MPM of websites of digital news media.
- [15] Alfa TV is owned by the Alfa 2018 Foundation with Volen Siderov, the leader of the Ataka party, as the ultimate owner; the ultimate owner of 7/8 TV is Stanislav Trifonov, the leader of the ITN party; BSTV is affiliated with the BSP.
- [16] Art. 5 Radio and Television Act.
- [17] Art. 9 Conflict of Interest Prevention and Ascertainment Act.
- [18] The CEM’s special monitoring report on the show’s content for the period 5 November 2022 – 29 January 2023 points to one-sided comments on certain domestic political issues, which “gives the impression of propaganda” (CEM, 2023d: 45). The CEM’s special monitoring report on “12 plus 3”, another talk show on BNR’s Horizon channel, for the period 12 December 2022 – 12 January 2023

indicates overall plurality of views with some exceptions (CEM, 2023e: 42). The cited exceptions concern topics of EU importance: the ban on exports from the Lukoil oil refinery; the sanctions against Russia and Bulgarian-Russian relations; a referendum against Bulgaria's joining the eurozone.

- [19] Bill to amend and supplement the Radio and Television Act 102-01-16, submitted by the Council of Ministers to the National Assembly on 23 February 2021.
- [20] Monitoring by the Bulgarian country team for the purpose of the MPM.
- [21] Information validated within the Group of Experts.
- [22] Art. 70(4) Radio and Television Act.
- [23] People with Disabilities Act; Art. 49 Electronic Communications Act; Art. 8a Radio and Television Act.
- [24] Art. 32 Radio and Television Act.
- [25] Art. 10 Radio and Television Act; Art. 5(1) Code of Ethics for Employees of the Bulgarian National Television (BNT, 2019); Art. 4 Regulations on the Structure and Activities of the Public Council (BNT, 2018); Art. 2 Code of Ethics for Employees of the Bulgarian National Radio (BNR, 2019); Art. 15.6 BNR Editorial Standards (BNR, 2022b).
- [26] Secondary processing by the MPM country team of data presented in CEM (2023b). The scope of monitored media covers public and commercial TV and radio channels, as well as audio and audiovisual content published by online media listed as non-linear media service providers in the CEM's Public Register.
- [27] For example, the Bulgarian-Romanian Digital Media Observatory – BROD (BROD, 2023); the Big Data for Smart Society Institute at Sofia University – GATE (GATE, 2023); the Building a Resilient Society for the Defence of Democratic Debate in South East Europe project (FENCE, 2023); research projects conducted by the Center for the Study of Democracy (CSD, 2023) and the Human and Social Studies Foundation – Sofia (HSSF, 2024).
- [28] Art. 162 Criminal Code; Art. 10 Radio and Television Act; Protection against Discrimination Act.

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ANNEXE I. COUNTRY TEAM

First name	Last name	Position	Institution	MPM2024 CT Leader
<i>Orlin</i>	<i>Spassov</i>	<i>Executive Director/ Associate Professor</i>	<i>Foundation Media Democracy / Sofia University "St. Kliment Ohridski"</i>	X
<i>Nelly</i>	<i>Ognyanova</i>	<i>Professor</i>	<i>Sofia University "St. Kliment Ohridski"</i>	
<i>Nikoleta</i>	<i>Daskalova</i>	<i>Researcher</i>	<i>Foundation Media Democracy</i>	

ANNEXE II. GROUP OF EXPERTS

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

First name	Last name	Position	Institution
<i>Assoc. Prof. Ralitsa</i>	<i>Kovacheva</i>	<i>Expert and Researcher</i>	<i>Sofia University, Faculty of Journalism and mass communication</i>
<i>Maria</i>	<i>Cheresheva</i>	<i>Vice President</i>	<i>Association of European Journalists – Bulgaria</i>
<i>Pavel</i>	<i>Antonov</i>	<i>Managing Editor, Co-Founder and Member of the Board</i>	<i>BlueLink</i>
<i>Eva</i>	<i>Petrova</i>	<i>Legal Adviser</i>	<i>Association of Bulgarian Broadcasters - ABBRO</i>
<i>Emilia</i>	<i>Staneva</i>	<i>Secretary General</i>	<i>Council for Electronic Media</i>
<i>Theodora</i>	<i>Ivanova</i>	<i>Executive Director</i>	<i>Impact Drive</i>

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