



United Nations  
Educational, Scientific and  
Cultural Organization

# World Trends in Freedom of Expression and Media Development

REGIONAL OVERVIEW OF CENTRAL & EASTERN EUROPE 2017/2018

Media freedom

Journalists' safety



Gender equality

Pluralism

Political Polarization

...possible by rapidly rising mobile internet connectivity in Africa, Asia and the Pacific, and Latin America and the Caribbean. Satellite television and digital switchover have multiplied the range of channels to which individuals have access to. The availability of media content has also dramatically increased since 2012. In January 2017 Wikipedia counted more than 1.5 million articles, up from 1.1 million in 2012, a trend accompanied by a progressive diversification of content and increase in articles in languages other than English (in 2017 less than 12 per cent of content was in English, down from 18 per cent in 2012).

...Media freedom

...Journalists' safety

...Gender equality

...Pluralism

...Political Polarization

...the world, journalism is under fire. While more individuals have access to content, the rapid technological change have facilitated the rapid spread of disinformation and technological change have facilitated the rapid spread of disinformation and technological change have facilitated the rapid spread of disinformation.

...Gender equality

...Pluralism

...Political Polarization

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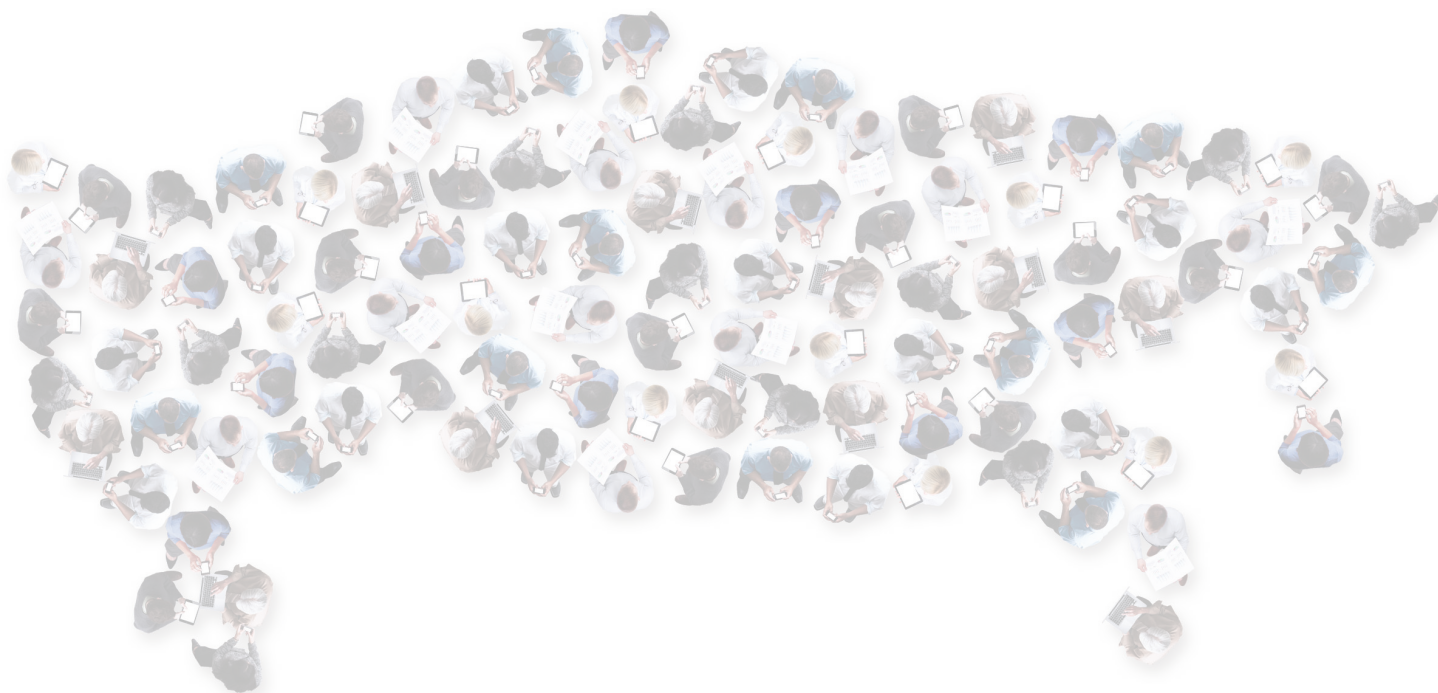


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World Trends in  
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**Development**

REGIONAL OVERVIEW 2017/2018

**CENTRAL AND EASTERN EUROPE**



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# Introduction

# Introduction

This regional report documents the circumstances and trends relating to media freedom, pluralism, independence, and the safety of journalists in the countries of Central and Eastern Europe (CEE). It covers the years from the start of 2012 to the start of 2017, with the five year period referred to in these pages as 2012-2017. As a regional study, this is one of six subsections of the wider report, with the global analysis published separately as “World Trends on Freedom of Expression and Media Development 2017/2018”, and which can be found at <https://en.unesco.org/world-media-trends-2017>.

All the reports follow the template of four trends: Media Freedom, Media Pluralism, Media Independence and the Safety of Journalism. The background to these reports, as well as the elaboration of these categories as essential components of press freedom, can be found in the global study cited above.

For more about UNESCO’s mandate and role in promoting freedom of expression and media development, readers are encouraged to visit <https://en.unesco.org/themes/fostering-freedom-expression> and sign up to our weekly newsletter at: <https://en.unesco.org/themes/fostering-freedom-expression/news>.

The majority of the countries in the region (22 of 25) are members of the Council of Europe (CoE), 11 of which are members of the European Union (EU), and an additional 4 are membership candidates. This is a region that has undergone internal pressures from migrant and refugee movements, and where some sub-regions currently experience conflict. There is a persistent regional paradox in the relationship between the media and democracy<sup>1</sup>, where post-soviet transitions are in flux and in some parts of the region the nature of a democratic society and the role of the media are contested. Issues relating to terrorism also bear an important impact on the free and independent operation of the media.

Indicators reflect that while some positive developments have occurred throughout the region regarding media freedom, pluralism and independence, these are commonly off set by other negative factors in a paradoxical manner. With few positive exceptions (primarily in the Baltic countries), trends reflect a predominant decline of a once-envisioned free and flourishing press, the weakening of Public Service Media (PSM) and the inadequate accountability of formally independent media regulators. The combined effects of these trends, and the lack of political will and of the sanctioning capacity of international and regional organizations, are exposing freedom of expression to increased vulnerability to global transformations, disruptions and challenges.

Since the 2014 CEE regional UNESCO World Trends Report<sup>2</sup>, conflicts with direct or indirect effect to the individual countries arose within or around the Central and Eastern European region. Journalists’ work has frequently been limited due to national security concerns, particularly in efforts to counter terrorism and violent extremism. Restrictions with regard to hate speech re-entered the regional agenda with the arrival of refugees, migrants and other asylum seekers. The emerging and intensified manifestation of racism, xenophobia and intolerance in public discourse was evidenced with special regard to those countries directly affected by migration flows.

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<sup>1</sup> Mancini and Zielonka 2012.

<sup>2</sup> UNESCO CEE 2014.

Regional key trends reflect an overall deterioration of press freedom and reduced respect for media freedom, evidenced in part by the increased use of criminal defamation and insult laws in all sub-regions. The legal obligations on ISPs to monitor content as a matter of national security, particularly in the CIS sub-region, have increased. The continued concentration of markets and of media ownership especially favoring the state media is accompanied by a trend toward greater oligarchic multi-sectorial ownership of media outlets. Continued self-censorship, partly motivated by economic factors of media viability, forms a key factor of limiting media freedom and independence. State capture of media and 'soft censorship' emerged from various forms of selective media subsidies and the partisan allocation of state advertising accompanied by a general lack of transparency over the allocation, as well as biased application of regulatory and licensing powers. Direct and indirect influence on media output led to market distortion in several countries.

The safety of journalists has remained stagnant with regard to the number of journalist killings in the region, but rates of impunity have increased. Women journalists are increasingly subjected to online digital attacks, threats, harassment and smear campaigns.



# Trends in Media Freedom

## Overview

The status of media freedom across Central and Eastern Europe has seen a general downturn. Restrictions, limitations and efforts at control have generally increased, at times taking new forms. While media freedom increased in some countries, especially in the Baltic sub-region, threats persisted and increased throughout most of the rest of the region. Conflicts, crises, and accompanying national security concerns, coupled with technological advancements easing and facilitating the control of information flows, have signalled a period of overall deterioration in freedom of the media, particularly in the Commonwealth of Independent States (CIS) and the South-East Europe sub-regions, but also apparent in European Union (EU) member countries within the region<sup>3</sup>.

Regional key trends regarding media freedom in various aspects and generally deteriorating conditions include the following:

- An overall deterioration of media freedom;
- Declining respect for media freedom involving digital attacks on journalists and online harassment, especially with regard to the harassment of female journalists;
- Criminal defamation and other insult laws presenting on-going threats to media freedom;
- Judicial practices regarding civil law violations created new limitations to press freedom;
- Legal obligations imposed on Internet Service Providers to monitor content often based on national security concerns;
- Increased restrictions on hate speech and of 'cyberhate' during the refugee and migrant 'crisis';
- Attempts to restrict broadcasts considered to amount to propaganda, including the use of executive orders and banning in some countries of Central Europe and of the CIS sub-regions;
- Repeated internet shutdowns in at least one country of the CIS sub-region;
- Incomplete implementation of right to information and of freedom of information laws;
- An increasing trend of the online harassment of women journalists, contributing to the self-censorship of women, and a slight increase in gender inequality regarding access to ICTs and broadband services.

<sup>3</sup>European Union Agency for Fundamental Rights 2016a.

# Limitations on media freedom

## DEFAMATION AND OTHER LEGAL RESTRICTIONS ON JOURNALISTS

The accelerating trend since the publication of the 2014 UNESCO CEE Report<sup>4</sup>, is an overall deterioration of press freedom which has incorporated emerging limitations justified by national security concerns, in response to the refugee crisis, to countering propaganda, the banning of media coverage and additional forms of censorship in new media. Since 2014, trends indicate an increased use of criminal defamation and insult laws which is spreading around all sub-regions, new legal obligations set on ISPs to monitor content, and increased structural limitations to implementation of the right to information.

Restrictions on media freedom in the region were judicially evaluated using the standards of Article 10 of the European Convention on Human Rights and Article 19 of the International Covenant on Civil and Political Rights. In 2016 alone, the European Court of Human Rights found violations of Article 10 in at least 20 different cases relevant to countries within the region (European Court of Human Rights 2017). Within the Article 19 framework, the region recorded a variety of breaches of international standards and norms, with states exploiting categories of permissible actions to stifle criticism. Certain justifications of intervention, which typically involved national security concerns as bases for suppressing criticism of the government, led to findings of non-justified and non-proportionate limitations.

International standards call for the decriminalization of libel and defamation, yet defamation remains criminalized in a number of countries in Central and Eastern European region. Criminal defamation and insult laws with the possibility of imprisonment are still prevalent in the majority of countries throughout the region, particularly in Central Europe and the CIS sub-regions. As a positive and continuing trend, decriminalization of defamation since 2012 took effect in more countries in the South-East Europe sub-region. Among eight countries of the SEE sub-region there are three countries that have repealed all general provisions on criminal defamation and insult, four countries where defamation remains a criminal offence but without the possibility of imprisonment, and only one country where imprisonment remains a possibility.

Defamation of public officials and defamation of state bodies/state institutions are criminalized in only one country, in both Central Europe and the CIS region. However, other forms of criminal liability for insult against public officials exist in some countries, along with special legal protection for the reputation and honour of the head of state, and insult or defamation of the state.

Despite defamation being decriminalized in many countries, civil laws to protect the reputation of individuals or their privacy are increasingly used to restrict freedom of expression in some countries of the Central European sub-region. This materializes in the awarding of restitutions, along with an increase in the number of cases in which politicians turn to the courts to seek relief for reputational injuries.<sup>5</sup> Civil defamation lawsuits by politicians against the press have also created severe limitations to freedom in at least one country of the CIS sub-region.<sup>6</sup>

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<sup>4</sup> UNESCO CEE 2014.

<sup>5</sup> Bodrogi, International Press Institute 2017.

<sup>6</sup> United Nations Special Rapporteur on the right to freedom of opinion and expression 2015

**Table 1-1: Defamation in the Central and Eastern European region**

	Law on the statute books	Custodial sentence (arrest, imprisonment, etc.) as possible sanction
<b>Criminal defamation and insult</b>	15 countries (across all sub-regions)	among them 10 countries (across all sub-regions)
<b>Increased protection for public officials under general defamation and insult law</b>	1 country (Central Europe)	
<b>Other special law on insult to public officials</b>	7 countries (across all sub-regions)	among them 6 countries (across all sub-regions)
<b>Criminal defamation of the head of state</b>	6 countries (across all sub-regions)	all of them (across all sub-regions)
<b>Criminal defamation of the state (excluding laws on state symbols)</b>	7 countries (across all sub-regions)	among them 6 countries (across all sub-regions)
<b>Criminal defamation of state bodies/state institutions</b>	1 country (Central Europe)	same country
<b>Criminal defamation of foreign heads of state (excluding laws on state symbols)</b>	4 countries (Central Europe)	among them 3 countries (Central Europe)
<b>Criminal defamation of foreign states</b>	5 countries (SEE and Central Europe)	among them 4 countries (SEE and Central Europe)
<b>Criminal blasphemy/religious insult</b>	6 countries (with one exception CIS and SEE sub-regions)	all 6 countries (with one exception CIS and SEE sub-regions)

Source: regional assessment of country level data ("Defamation and Insult Laws in the OSCE Region: A Comparative Study" 2017<sup>7</sup>)

Conflicts and crises arose in 2014 and 2015 in some countries of Eastern Europe, of the Baltic and of the CIS sub-regions, accompanied by the spread of war-related propaganda and hate speech. In response, legal attempts were taken by governments to restrict propaganda broadcasts and other media activities. Restrictions were mainly emphasised as limitations to hate speech and propaganda for war, as provided for in Article 20 of the ICCPR, and corresponding national and informational security justifications.<sup>8</sup>

In some cases, these restrictions were approved by superior bodies such as the European Commission, based on sufficient demonstration by the authorities involved about manifest, serious and grave infringements of the prohibition of advocacy to hatred that constitutes incitement to hostility, discrimination or violence. Broader concerns on proportionality and necessity remain. In certain countries of the Organisation for Security and Cooperation (OSCE) region, the rise of propaganda centered on active conflicts. In 2015, the OSCE Representative on Freedom of the Media (RFoM) addressed this trend and spoke out "against instances of propaganda for war, of intolerant expression and dangerous hate speech in the media"<sup>9</sup>, warning that propaganda for war and hatred were especially problematic in environments where governments control the media.<sup>10</sup>

<sup>7</sup> Griffen 2017.

<sup>8</sup> European Commission 2017.

<sup>9</sup> OSCE RFoM 2016: 1.

<sup>10</sup> OSCE RFoM 2015.

Restrictions regarding hate speech re-emerged with the arrival of refugees, migrants and other asylum seekers in the region. Intensified racism, xenophobia and intolerance in public discourse was particularly evident in countries directly affected by migration flows.<sup>11</sup> This trend was also reflected in the occurrence of hate speech cases dealt with by courts, national equality bodies, independent press councils and national media regulators: many rulings issued by such bodies found that media content indeed incited hatred against ethnic and national minorities. In addition, with the spread of hate speech on the internet, a significant number of cases related to 'cyber hate' were assessed by these bodies.<sup>12</sup>

These events raised questions whether the legal and normative framework of EU member countries within the region should be re-evaluated, leading to proposals to introduce new measures to combat mediated incitement to hatred. Legislative proposals at EU level<sup>13</sup> would extend the role and responsibility of platform operators beyond the current obligations<sup>14,15</sup> and would 'protect all citizens from incitement to violence or hatred directed against a group of persons or a member of such a group defined by reference to sex, race, colour, religion, descent or national or ethnic origin'.<sup>16</sup>

Journalism is an open profession in all countries of the region. However there are some recent trends of barring foreign journalists from entry to a country based on national security grounds. Similarly, the withdrawal of press credentials for journalists critically covering political news is another way of punitively obstructing access to politicians. Executive orders barring journalists from entering countries and reporting on events were issued in countries in the CIS and of the Eastern European sub-regions. Bans on reporting increased and appeared in several forms, including broadly-worded new accreditation regulations; the non-recognition of journalists working for foreign media outlets; and/or the denial of accreditation or limitations on accreditation for entering and covering political affairs in national parliaments.<sup>17</sup>

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<sup>11</sup> European Union Agency for Fundamental Rights 2016b.

<sup>12</sup> Ibid.

<sup>13</sup> European Commission 2016a.

<sup>14</sup> The current legislative framework is based on Directive 2000/78/EC of 27 November 20005 implementing the principle of equal treatment in employment and Directive 2000/43/EC that combat discrimination based on race or ethnic origin, adopted by all EU member countries.

<sup>15</sup> The National Council for Combating Discrimination 2014.

<sup>16</sup> Article 6 would be replaced by the following: "Member States shall ensure by appropriate means that audio-visual media services provided by media service providers under their jurisdiction do not contain any incitement to violence or hatred directed against a group of persons or a member of such a group defined by reference to sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation."; "Article 28a 1. Without prejudice to Articles 14 and 15 of Directive 2000/31/EC, Member States shall ensure that video-sharing platform providers take appropriate measures to: (b) protect all citizens from content containing incitement to violence or hatred directed against a group of persons or a member of such a group defined by reference to sex, race, colour, religion, descent or national or ethnic origin"... "2. Those measures shall consist of, as appropriate: (b) establishing and operating mechanisms for users of video-sharing platforms to report or flag to the video-sharing platform provider concerned the content referred to in paragraph 1 stored on its platform."

<sup>17</sup> United Nations Special Rapporteur on the promotion and protection of the and right to freedom of opinion and expression 2016.

## INTERNET CURBS, CUT-OFFS AND CONTENT REMOVAL

Blocking access to messaging services and to social media websites was reported in at least one country in the CIS sub-region<sup>18</sup>. New forms of control of bloggers, in the form of registration requirements with national media regulatory authorities and extensive filtering of content<sup>19</sup>, were reported in some countries of the CIS sub-region.

The provision of 'safe harbours' to shield intermediaries from liability over content that they did not create or edit, appeared to be at risk despite forming an important element of internet freedom. The general climate toward greater regulation of the national information space in countries of the CIS sub-region produced measures restricting access, and regulating the dissemination of certain types of content, thus eroding the protection shields of intermediaries.<sup>20</sup>

Furthermore, the emerging policy interventions regarding copyright infringements with effect to EU member countries<sup>21</sup> could "de facto erode liability exemptions" and further "incentivize intermediaries' self-intervention to police allegedly infringing activities in the Internet". Beyond these considerations, government control of intermediaries in terms of indirect government ownership also emerged as a threat to media freedom, which is addressed later in this study.

## NATIONAL SECURITY AND COUNTERING VIOLENT EXTREMISM

Journalists' work has frequently been limited in the name of national security, particularly regarding efforts to counter terrorism and violent extremism.<sup>22</sup> Since the 2014 World Trends Report<sup>23</sup>, conflicts with direct or indirect effect on the individual countries arose within or around the Central and Eastern European region. To counter the effect of these conflicts and to mitigate concerns, national security related restrictions increased, with a direct impact on media freedom. In 2015 and 2016, local levels of fear and distress related to the flow of migrants and refugees became a pervasive factor and fundamentally challenged the legal and normative balance of freedoms and limitations, in many cases ignoring aspects of proportionality and necessity. The humanitarian crisis has led some countries within the South-East European sub-region and in Central Europe<sup>24</sup> to declare a 'state of emergency' and introduce various restrictions to media freedom.<sup>25</sup>

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<sup>18</sup> United Nations Special Rapporteur on the right to freedom of opinion and expression 2015.

<sup>19</sup> See Internet Monitor country profiles 2017.

<sup>20</sup> See the Open Net Initiative.

<sup>21</sup> The recently proposed Copyright Reform and the proposal for a new Directive on Copyright in the Digital Single Market by the EC is about to fundamentally amend liability rules of intermediaries (see proposed Article 13 on 'Certain uses of protected content by online services').

<sup>22</sup> Council of Europe 2015.

<sup>23</sup> UNESCO CEE 2014.

<sup>24</sup> Cassandra Vinograd 2016.

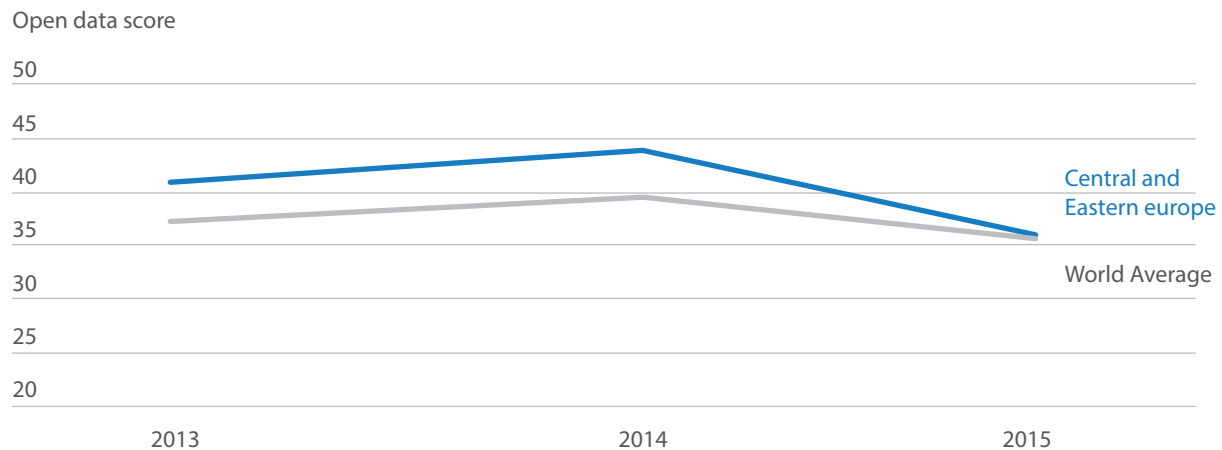
<sup>25</sup> OHCHR Joint Declaration on Freedom of Expression and Countering Violent Extremism 2016.

# Access to information and privacy protections

## ACCESS TO INFORMATION

Jurisprudence on the scope of Freedom of Information (FOI) rights has expanded with special reference to the European Court of Human Rights, which confirmed for the first time in 2016 that the European Convention on Human Rights affirmatively protects the right of access to information.<sup>26</sup> Constitutional and legislative assurance of public access to information through the utilisation of FOI laws is a continuing positive trend within the region. Figure 1-1 below reflects the open data score (which measures the country's readiness for open data initiatives, implementation of open data and the impact of open data on civil society, business and politics) for the region compared with the global average.

**Figure 1-1: Open data index for Central and Eastern Europe**



**Source:** Global Open Data Index Survey

The regional open data score consistently appears above the global score. Since 2014, one country, Georgia, has adapted its legal system to secure the right to FOI. Now all but one country in the region have some legal guarantees for the right to information. Access Info Europe and the Centre for Law and Democracy rank the FOI laws of four countries within the region as among the world's 10 strongest access to information laws, and another three among the top 20 FOI laws.<sup>27</sup> The implementation and impact of FOI laws, however, is broadly inadequate.

<sup>26</sup> CASE OF MAGYAR HELSINKI BIZOTTSÁG v. HUNGARY (Application no. 18030/11).

<sup>27</sup> Global Right to Information Rating

Public access to information requires more than legal provisions only, but also public engagement from governments aimed at promoting the right to information, fostering the awareness of citizens, and capacity building of public institutions subject to FOI requests<sup>28</sup>. With a few exceptions, mostly limited to the Baltic sub-region, these FOI-advancing policies and actions have not been undertaken. In EU member countries, where legal foundations of FOI are often strongest, the implementation of FOI laws and policies<sup>29</sup> is broadly inadequate.<sup>30</sup>

## PRIVACY, SURVEILLANCE AND ENCRYPTION

The protection of individuals' data and related privacy policies are connected with fundamental rights. As big data and algorithmic decision-making become a norm, privacy and data protection become central to the exercise of fundamental rights. Safeguarding those rights is thus strongly connected to citizens' participation in a democratic society. As an emerging trend within the EU Member States (MSs) countries of the region, technological disruptions and legislative advancements<sup>31</sup> point toward a more user-based approach to "Big Data" related privacy policies.<sup>32</sup>

Some countries in the CIS sub-region recorded interference with the personal security and privacy of journalists which was justified by national security or public order. Responsibilities are imposed on internet providers to allow state authorities to decrypt all type of communications<sup>33</sup>, without necessarily demonstrating their necessity or proportionality. Furthermore, in some countries in Central Europe, the implementation of anti-terror surveillance laws provided intelligence agencies with substantially increased access to personal data.<sup>34</sup> At least one EU Member State within the CEE region has already adopted new legislation to expand government access to digital data and loosen restrictions on police spying.<sup>35</sup> Moreover, the threats from terrorism and organised crime are increasingly motivating governments in Europe to adopt measures which may endanger privacy protections.<sup>36</sup>

## PROTECTION OF CONFIDENTIAL SOURCES AND WHISTLE-BLOWING

In the SEE sub-region whistleblower laws were established, but there are still major obstacles to reliable and responsive whistle blower protection mechanisms.<sup>37</sup> Also, there are only two countries of the CEE region in which legal frameworks for whistleblower protection are considered to be adequate: critical loopholes and exceptions in other legal frameworks pose risks to whistle blowers and especially to employees, who risk being fired or harassed after whistle blowing.<sup>38</sup> Moreover, other factors such as low levels of public awareness of whistle blower protections and other sociocultural dimensions are limiting the impact of whistle blower legislation.<sup>39</sup>

<sup>28</sup> Caucaso 2016.

<sup>29</sup> Decision Making Transparency – Access Info Europe 2016.

<sup>30</sup> Osservatorio Balcani Caucaso Transeuropa 2016.

<sup>31</sup> European Digital Rights 2013.

<sup>32</sup> Mayer-Schönberger, Viktor; Padova, Yann 2016.

<sup>33</sup> United Nations Special Rapporteur on the promotion and protection of the and right to freedom of opinion and expression 2016.

<sup>34</sup> Mills and Sarikakis 2016.

<sup>35</sup> Venice Commission 2016.

<sup>36</sup> Lubin 2017.

<sup>37</sup> Worth 2015.

<sup>38</sup> Transparency International 2013.

<sup>39</sup> Hüttl and Léderer 2013.



## Internet governance and media freedom

Several new national and regional initiatives emerged in recent years organised around the Internet Governance Forum (IGF) Eastern European Regional Group. Multi-stakeholder governance bodies were formed nationally with the aim of reflecting on draft legislative proposals and other legal acts in a discursive manner and aligning global best practices. Operations are regularly reported to IGF providing transparency on stakeholders involved and issues at stake.<sup>40</sup> Cybersecurity, liability of internet intermediaries, media literacy and data protection were among the most debated topics. National forums provided opportunities to identify common priorities.

## Gender equality and media freedom

Contextual historical reflection of women in media is necessary when reporting about trends regarding gender. In previously communist countries, frameworks of representation formally ascribed the equal social and political representation of women and men. Resultantly, gender inequalities were hidden rather than absent.<sup>41</sup> Nonetheless, such frameworks afforded women some freedom to participate in the media, and contributed to close to parity of formal representation of women in the newsrooms as well as to strong tendencies toward gender egalitarianism.<sup>42</sup> However, economic crises, changing labour conditions, and the under-representation of women in leading positions in the media, have severely affected participation and access conditions for women ever since the Soviet period.<sup>43</sup>

Moreover, harassment, and specifically online harassment of women journalists<sup>44</sup> has emerged as a trend within the region, and contributed to the silencing of women, discouraging them from participating in public affairs.<sup>45</sup> The ubiquitous nature of online harassment came with a disproportionate price to women journalists in many countries of Central and Eastern Europe.<sup>46</sup>

Sensationalism and exploitation of violence against women tarnish media reporting on gender-based violence. Unethical portrayal of sensitive cases pointed to flaws in the work of the media in certain countries of the region.<sup>47</sup>

These factors translate into differential experience and benefit to women as compared to men in regard to media freedom.

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<sup>40</sup> See IGF Eastern European Regional Group records at <http://www.intgovforum.org/multilingual/content/eastern-european-regional-group>

<sup>41</sup> International Women's Media Foundation 2011.

<sup>42</sup> International Women's Media Foundation 2011.

<sup>43</sup> Council of Europe 2013.

<sup>44</sup> OSCE Representative on Freedom of the Media 2016.

<sup>45</sup> European Union Agency for Fundamental Rights 2016a.

<sup>46</sup> Tofalvy - International Press Institute 2017.

<sup>47</sup> Jukić - UN Women 2016.

# Trends in Media Pluralism

## Overview

The status of media pluralism in the region has generally weakened since 2012, with a few exceptions. Technological advancement and digital media uptake further lowered barriers to market entry and contributed to increasing the total number of media outlets and news sources, and generally led to greater media consumption<sup>48</sup>. Nonetheless, the positive effects of digitalization in lessening limitations on content production thus enhancing diversity, were offset by the inability of the media to effectively reach audiences. These limitations stemmed from controls of digital distribution systems at the global level, and from the barriers for audiences to engage with alternative content at the regional and national level.

Also, severe gaps in digital access to content in certain sub-regions (CIS) were prevalent, accompanied by a limited ability of audiences to critically consume media content due to a low level of Media and Information Literacy. Polarization of media content along political and ethnic lines was an emerging trend in some countries of the South-East Europe sub-region.<sup>49</sup> Moreover, unequal opportunities for vulnerable social groups to access the public sphere, and structural asymmetries in having their interests fairly represented, was increasingly evident.

Regional key trends in media pluralism include the following:

- Global, regional and national challenges affecting both 'external' and 'internal' pluralism;
- Concentration of markets and of non-transparent media ownership, and, as an emerging trend, multi-sectorial ownership of media outlets by vested interests in non-related business;
- The expansion of the state in various forms of media ownership increased;
- Disinformation including propaganda-driven 'fake news', emerged in some countries of the region, presenting challenges for the possibility of audiences to identify and to access independently produced media content.
- Women continue to be underrepresented in media content, and the number of women journalists working on hard news, or covering politics and the government, is markedly lower than the number of male journalists.

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<sup>48</sup> Zenith Optimedia 2015; European Commission 2014; European Commission 2015; European Commission 2016b.

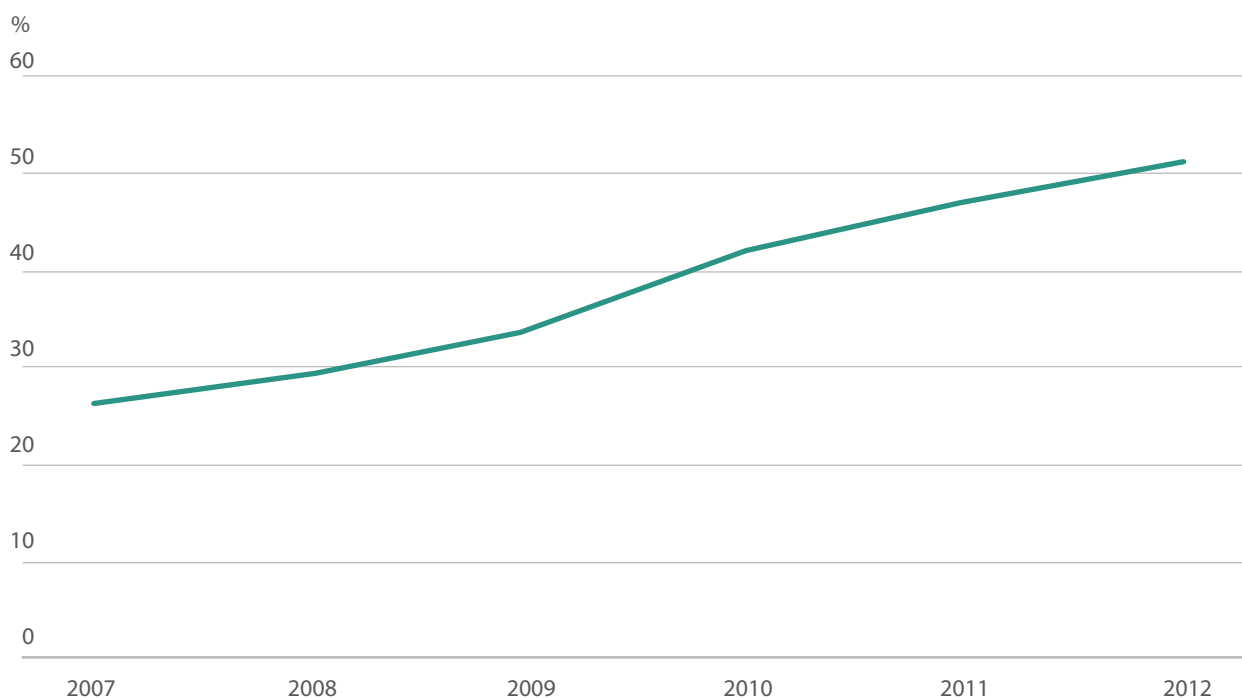
<sup>49</sup> European Parliamentary Research Service 2015.

# Access

## INTERNET AND MOBILE

Trends of strong growth in mobile broadband are prevailing in the Central and Eastern European region, and smartphones continue to be the predominant access medium. Growth in fixed broadband absolute numbers is driven by consumer demand for higher internet speed and the growing number of internet-connected devices in homes and at work, as shown in Figure 2-1. Figure 2-1 indicates a persistent increase in the usage of internet in Central and Eastern Europe. In some countries, broadband deployment was further supported by well-designed and well-executed national policy-making, resulting in relatively high fibre penetration per capita. However, by the end of 2016 in the CIS sub-region, about one third of the population was still off-line.

**Figure 2-1: Percentage of individuals using the internet in Central and Eastern Europe**



Source: ICT database

New mobile subscriptions were reported as of 580 million in 2016 with steady growth in the Central and Eastern European region, with 144 percent penetration (percentage of population).<sup>50</sup> Figure 2-2 below shows the increased broadband subscription in the region. Growth of mobile broadband and of 4G was presented in the expanding numbers of countries with live 4 GLTE networks in the Central and Eastern European region<sup>51</sup>, with 150 million mobile broadband subscriptions at the end of 2016 in the CIS sub-region and 483 million for Europe in total.<sup>52</sup> The share of WCDMA/HSPA subscriptions was also increasing and LTE networks were present in almost all countries of the region<sup>53</sup>, while mobile data traffic growth (monthly ExaBytes) was at 0.8 in 2015.<sup>54</sup>

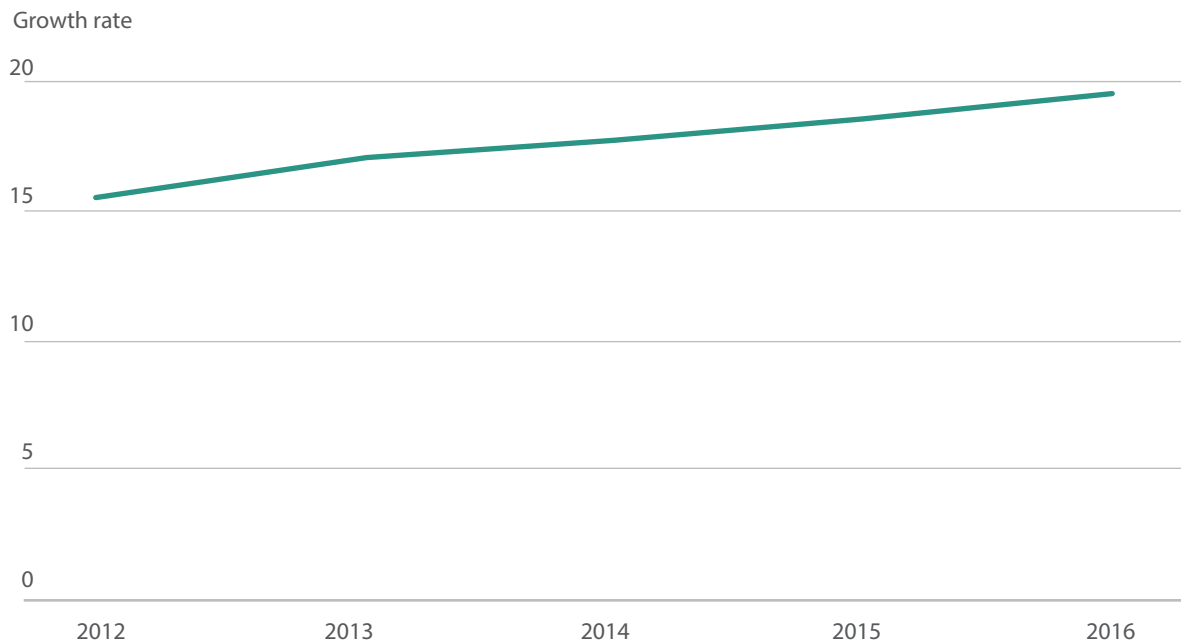
<sup>50</sup> Ericsson Mobility Report 2016.

<sup>51</sup> ITU-UNESCO Broadband Commission 2016, 19.

<sup>52</sup> ITU-UNESCO Broadband Commission 2016, 21.

<sup>53</sup> Ericsson Mobility Report 2016, 9.

<sup>54</sup> Ericsson Mobility Report 2016, 15.

**Figure 2-2: Fixed-broadband subscriptions**

Source: ICT database

Nevertheless, issues of affordability and access are pertinent, with huge discrepancies within the region. While EU member countries of the region achieve an affordability threshold of below two per cent of Gross National Income on average, in a number of countries in the CIS sub-region over 80 per cent of the population would need to spend more than 10 per cent of their household expenditure to afford a basic mobile subscription plan.

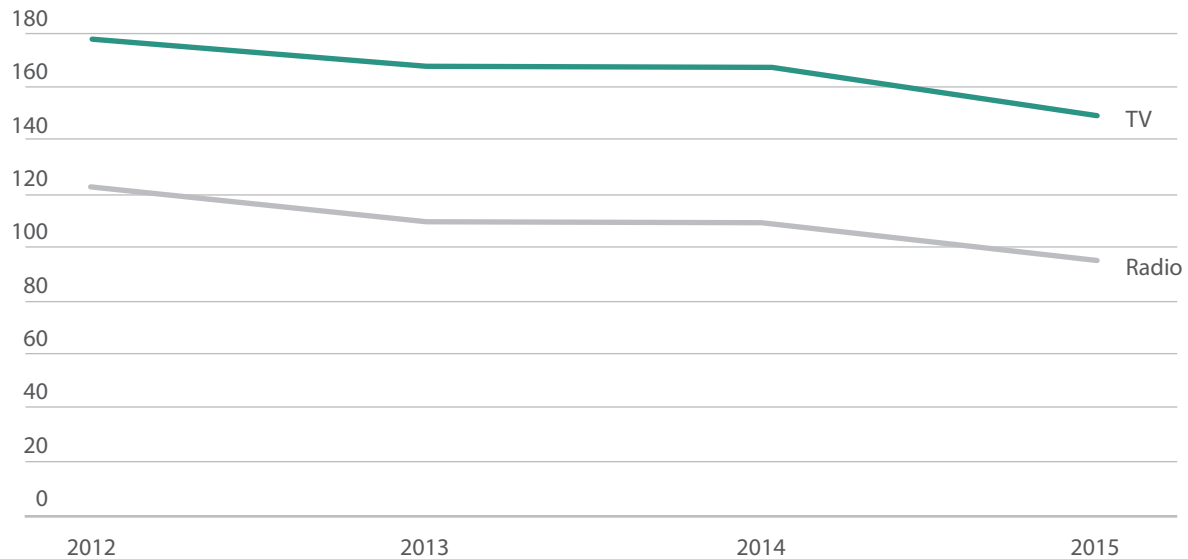
Based on the consecutive findings of the Reuters Institute for the Study of Journalism<sup>55</sup>, computers were the main end-user devices to access news online, followed by smartphones (increasingly used by users aged 18 to 34) in EU member countries within the region. Also, news is increasingly accessed via social media sites in those countries, and more individuals are coming to depend on social media, especially Facebook, for the primary consumption of news. On average, 22 per cent of users in the EU use online video services for consuming news content.

## BROADCAST MEDIA

Television viewing continued to be high generally, with some noticeable decline in 2015 as shown in Figure 2-3 below. Despite non-linear trends, linear television viewing accounts for at least 90 per cent of all television viewing even in the most advanced markets. Continued trends of increasing average daily linear television viewing with over five hours per day in some countries of the region were recorded. The viewing patterns of young adults have remained generally stable. Television is still the most significant source of news content among media users in the region.<sup>56</sup>

<sup>55</sup> Reuters Institute for the Study of Journalism 2016; Reuters Institute for the Study of Journalism 2017.

<sup>56</sup> Reuters Institute for the Study of Journalism 2016.



Source: World Press Trends

The digital switchover of terrestrial television was completed by a slight majority of countries (14) within the region, and digital transition is ongoing in 10 countries. The status of only one country regarding the digital switchover was unknown<sup>57</sup>.

Figure 2-3 also shows a decreasing average daily listening from 2012 to 2015. A contributing factor for such a decline is the increase in the general uptake of new devices and online media platforms in the region. Radio, however, remains a core medium. In parallel, radio listening behaviours have changed, influenced by the emergence of digital broadcast radio (DAB+) and audiences seeking for better quality and broader range of choice. Traditional command and control licensing regimes in radio broadcasting due to frequency scarcity on the terrestrial platform (FM radio) are still prevalent in the region and subject to undue and often political interference in the licensing process.<sup>58</sup> Digitalization of the terrestrial platform and potential success of DAB+ remains an important factor in reducing the relationship of spectrum scarcity to command and control regulation.

Spill-over effects of the successful switch to DAB+ in Western Europe (and the first switch off of analogue radio in 2017) contributed to pushing the operational costs of digital radio down, thus lowering barriers to market entry, and contributed to the emergence of new services and new entrants on the market. Some of the countries of the region therefore belong to 'digital newbies' (countries that have recently launched DAB+ services, with exclusive stations but with limited coverage to specific cities or regions), though most of the countries are still in the 'wait and see' phase (countries where regular digital radio services or trials are available but there is basically no market because of lack of receivers and, generally speaking, lack of commitment from different stakeholders).

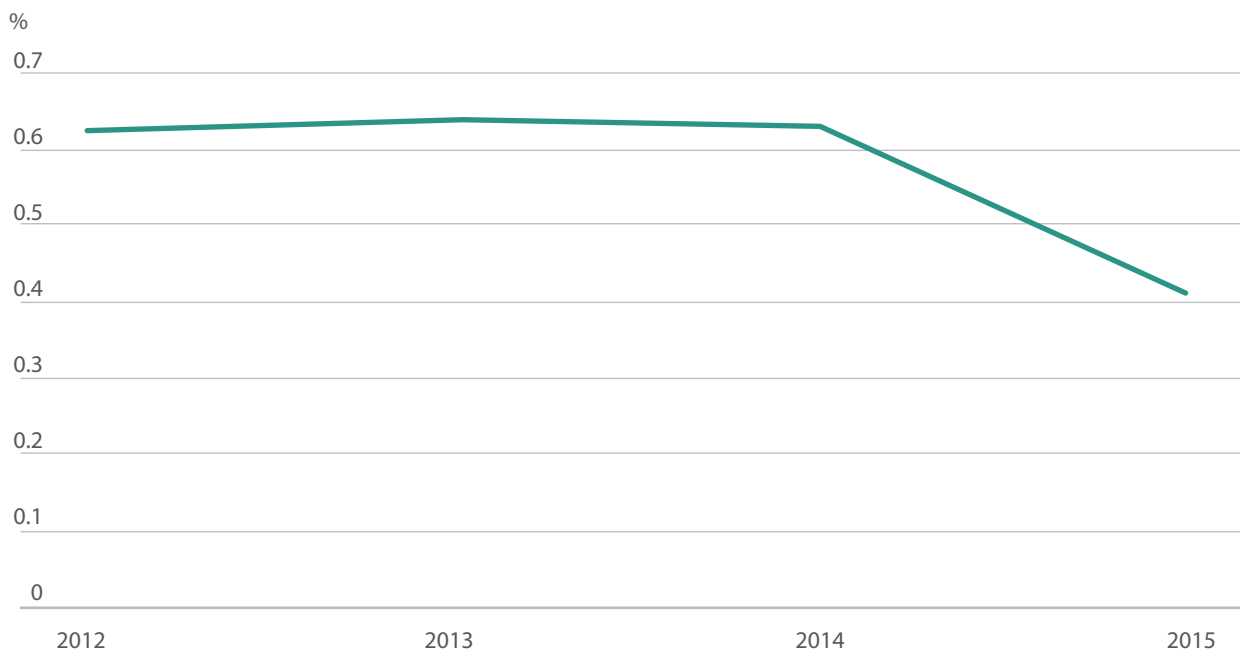
<sup>57</sup> ITU Status of the transition to Digital Terrestrial Television Broadcasting

<sup>58</sup> See WorldDAB information on the global rollout of DAB/DAB+ digital radio, including coverage, services on air, receivers, automotive sector, trials, regulation, marketing and emergency broadcasting.

## NEWSPAPER INDUSTRY

There is a general decline in newspaper consumption, as indicated in Figure 2-4 below. The decline reaches across gender lines as both the male and female percentage readership declined. The consumption of daily newspapers and print magazines has generally declined more than any other media segment, owing to the transition to digital media, with falling readership and cut backs in advertising expenditure. An ongoing and worsening negative trend and decline is evident in total paid-for, free dailies and total average circulation figures in at least 15 countries of the region. This includes declines of between 52.6 per cent and 91.59 per cent in certain cases between 2011 and 2016. Similarly, the number of titles is on a downward trend.<sup>59</sup> However, in few countries an increase in the total average circulation of free dailies is noticeable. Meanwhile, ongoing downward trends in total advertising expenditure in newspapers suggests structural problems in the sector. This impacts on the quality and diversity of print news content, especially with regard to investigative journalism, which is traditionally homed in print newspapers.

**Figure 2-4: Newspaper reach**



**Source:** World Press Trend - Data available for Belarus, Bulgaria, Croatia, Hungary, Latvia, Poland, Romania, Serbia, and Slovenia

<sup>59</sup>World Association of Newspapers and News Publishers 2016, 38, 42, 45, 47, 49.

# Economic models

## PLURALISM AND MEDIA OWNERSHIP

Concentration of markets and of media ownership, with continued expansion of state control and/or ownership, increased in the CEE region since the 2014 UNESCO World Trends Report<sup>60</sup>. As an emerging trend, multi-sectorial ownership of media outlets by vested interests in non-related business areas is reported to be limiting pluralism and the democratic functioning of media.

Cases of non-transparency of media ownership continue; however, progress has been made in a number of countries of the CIS sub-region involving the limitations of offshore ownership and implementing stricter transparency regulations. Meanwhile, non-transparent and even flawed ownership of online media is reported as an emerging trend. Moreover, in certain countries governments deployed obscurely owned media outlets for propaganda and misinformation within and across borders.

Furthermore, vertical concentration in the broadcast and pay television/distribution markets increased since the latest reporting period. The main trends were as follows:<sup>61</sup>

- Lower media concentration at the level of individual television channels due to the fragmentation of audiences, although the main commercial broadcast groups have suffered from this trend less than smaller ones;
- Higher level of cross-ownership of distribution and of broadcasting with increasing rates of concentration (HH Index);
- The presence of 'pan-European broadcasters' (in total 13 significant media groups), among them 'multi-country' broadcasting groups as major players;
- pan-European 'brand' broadcasters became significant players in a great number of countries of the region;
- pan-European distribution groups - including cable and satellite operators, and telecommunications operators involved in IPTV - are also present at various different aspects of the audio-visual value chain.

In sum, vertical integration and concentration in mature markets within the region are accelerating. These and the above reported trends are accompanied by a general lack of ownership transparency laws and of institutional safeguards with regard to pluralism (for example, the monitoring of concentration and regulatory intervention). In addition, there is little transparency on measures to control media concentration, including a lack of availability of regulatory policies and of reports on their implementation, and information gaps about the effectiveness of the enforcement of these measures including sanctions, or of cooperation of media sector regulator with competition authorities. All these negatively impact the promotion of media pluralism in the region.

<sup>60</sup> UNESCO CEE 2014.

<sup>61</sup> European Audiovisual Observatory 2016.



Overall, media outlets in the region are economically weakened. The region continued to have slow growth rates, magnifying market distortions by political interference and business interests. Growth is expected to slow further in Central and Eastern Europe. Consumer spending expanded at a very modest rate, and the region accounted for the slowest-growing advertising market.<sup>62</sup>

Professional market research and audience measurement are fundamental to the sustainability and functioning of media markets. There are positive trends in the region regarding the establishment and availability of these services, contributing to the success of media outlets. Nevertheless, concerns about the reliability of audience measurement data are raised, and cross-ownership or close business ties of those companies with media conglomerates signal the need for transparency policies in this regard.<sup>63</sup>

The rolling-effects of the financial and economic crises, and new attempts of governments to limit or suppress media freedom and pluralism, contribute negatively to media pluralism. An emerging trend among EU member countries within the region, is the inability of the EU policy toolkit to effectively sanction infringements of pluralism principles<sup>64</sup>, also referred to as the 'Copenhagen-dilemma'.<sup>65</sup>

A related emerging trend involves television markets with structural changes in their value chains.<sup>66</sup> The changes are triggered by disputes between distribution network operators (typically pay-television cable and satellite) and broadcasters. Previously free-to-air distributed television channels, in large proportion public service broadcasters, recently requested fees for the right to 'carry' (a right that has previously not been practiced) from the distributors, with the aim to offset their financial losses of advertising income caused by emerging platforms (over-the-top television) and their lowering profit margins. Distributors were heavily opposed to pay licence fees for the right to carry and challenged the claims of the broadcasters in the courts.

In general, the plurality in media content and especially for independent news sources is on a downward trend since the 2008 crisis in a majority of countries in the region. The pull back of professional multinational media conglomerates from the Central and Eastern European markets continued. The steady increase in advertising in online media did not offset the losses of print and broadcast media. The impact of non-investment and its resultant impact on the quality of journalism, is evident in all countries of the region.

The overall growth of the total number of websites and online users would suggest an enhancement of media pluralism at large. However, these news sources typically reach audiences through aggregators via social media platforms, and are filtered according to their policies and algorithms. Consequently, more pluralistic ownership has not equated to a greater diversity of information at consumption.

The trend of investing in online media while searching for new business models with little start-up capital continues. Nonetheless, lower barriers to market investments have accompanied a lack of transparent information about the investors. There are only very few countries in the region where online media is subject to press registration requirements, and even fewer where breaches of registration are regularly monitored and sanctioned. Online users lack information about the ownership of news websites, and thus lack the ability to critically judge the newsworthiness and potential bias of information provided by online news sites.

<sup>62</sup> McKinsey Global 2015.

<sup>63</sup> IREX MEDIA SUSTAINABILITY INDEX 2012-2016: BUSINESS MANAGEMENT (indicators).

<sup>64</sup> Bard and Bayer 2016.

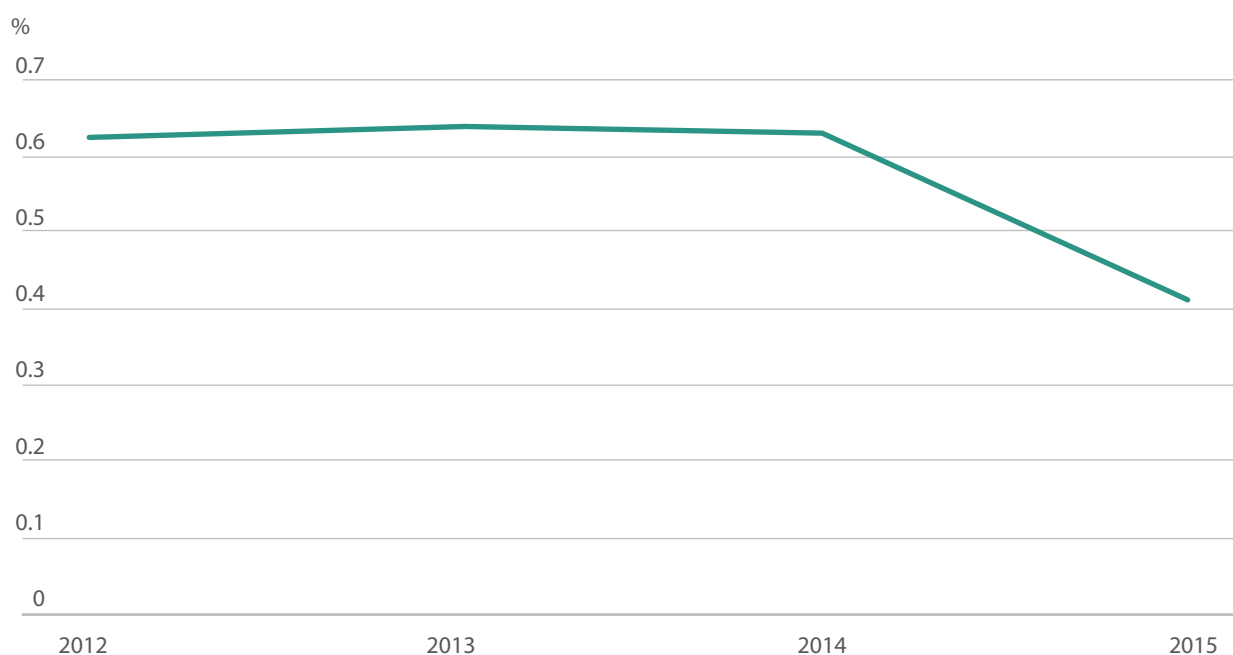
<sup>65</sup> Bárd, Carrera, Guild and Kochenov 2016. The Copenhagen-dilemma refers to the disillusionment about the founding principles of democracy, the rule of law, and fundamental rights, as enshrined in Article 2 of the Treaty on the European Union and EU Member State governments' adherence to foundational EU values.

<sup>66</sup> Evens and Donders 2016.

## ADVERTISING, BETWEEN OLD AND NEW MODELS

A general climate of stagnation or slow-growing advertising markets as shown in Figure 2-5, appears in several countries.<sup>67</sup> These markets have further deteriorated due to political interference. Unfair distribution of government advertising, an overall lack of transparency in the advertising markets, and manipulative or unreliable data on broadcast ratings and circulation figures, are emerging in the region and they negatively impact on pluralism. The vulnerability of the markets leads to the continuing emergence of media owners with vested interest in other business segments ('oligarchization'). Undue influence is exerted on editorial independence when these owners aim to gain political influence with the aim of securing economic benefit, thus using media outlets as mouthpieces of their owners and select political interests.

**Figure 2-5: Advertising expenditure as a percentage of GDP in CEE region**



**Source:** World Press Trends - Data available for Slovenia, Serbia, Russian Federation, Ukraine, Romania, Poland, Latvia, Hungary, Georgia, Estonia, Czech Republic, Croatia, Bulgaria, Belarus, Armenia

## NEW PLATFORMS AND BUSINESS MODELS

An emerging trend of small, innovative and alternatively financed (including crowd-sourced) typically online media entrepreneurs, sometimes in loosely formed journalistic teams, represent a trend in some countries of the region. Independent online outlets emerged in a great share of countries in the CEE region experimenting with complex data visualisations and with other cutting-edge, innovative forms of data journalism. Paywalls were introduced in some countries along with these newly emerging online projects, though this type of funding remains marginal.<sup>68</sup> Where these add significant investigative initiatives, they increase the overall plurality of news sources in media.

<sup>67</sup> Relevant country reports of the South East European Media Observatory.

<sup>68</sup> Shveda 2015. Krystina Shveda 2015. A roundup of digital media projects innovating in Eastern Europe. Available at: <https://ijnet.org/en/blog/roundup-digital-media-projects-innovating-eastern-europe>

# Content

## USER-GENERATED CONTENT

At regional level alternative platforms have been able to challenge global players' dominance. In Russian speaking communities VKontakte (market leader) and Odnoklassniki have dominated over Facebook and others. This trend has continued since 2012.

## ALGORITHMS, ECHO CHAMBERS AND POLARIZATION

The role of online exposure of audiences to differing viewpoints and information has become a concern globally. Research on the effects of algorithmic selection and personalization to polarization, and on the emergence of 'filter bubbles', in the Central and Eastern Europe region is very limited; therefore it is too early to report on trends. However, there is some evidence found in at least 2 countries of the existence of selective exposure and its structure on social networks, showing predominant engagement of users within clusters of consonant media outlets.<sup>69</sup>

## 'FAKE NEWS'

Manipulation and disinformation are often driven by foreign propaganda purposes. Fuelled by both state and non-state actors, they are an emerging trend with clear consequences regarding distrust in media and interfering "with the public's right to know and the right of individuals to seek and receive information"<sup>70</sup>.

Propaganda-driven disinformation takes advantage of the widespread use of social media, bypassing the traditional checks and ethical balances developed in many established press systems. It is also fuelled by structural shifts in advertising models in media.<sup>71</sup> However, the underlying motives, the implementation, and tools differ substantially. This trend of disinformation is evident in a large number of countries especially in the CIS and in the Baltic sub-regions, confusing the information space and undermining public trust in media. Manipulated media content is typically produced by state-owned outlets and spread by various means and through assorted channels, including local rebroadcasting and direct online dissemination. Because language is no barrier in the target countries, disinformation can have a direct impact on public opinion, and can distort the media's reporting in the coverage of current affairs.<sup>72</sup>

<sup>69</sup> Bobok 2016. Dalibor Bobok 2016. Selective Exposure, Filter Bubbles and Echo Chambers on Facebook. CEU. Available at: [www.etd.ceu.hu/2016/bobok\\_dalibor.pdf](http://www.etd.ceu.hu/2016/bobok_dalibor.pdf)

<sup>70</sup> OSCE Representative on Freedom of the Media, Organization of American States (OAS) Special Rapporteur on Freedom of Expression, and African Commission on Human and Peoples' Rights Special Rapporteur on Freedom of Expression and Access to Information 2017, 1.

<sup>71</sup> Tambini 2017.

<sup>72</sup> IREX 2016 MEDIA SUSTAINABILITY INDEX country reports.

## REPORTING ON MARGINALIZED GROUPS

A key moment demonstrating the combined effects of the above-mentioned downward trends was evidenced at the time of the so-called refugees and migrants 'crisis' in 2015 (and partly in 2016) across several countries directly affected within the region.<sup>73</sup> The news media performed a central role in framing the flow of refugees' and migrants' as a 'crisis', naming refugees as migrants, creating narrative connections between terrorist attacks and the flow of people, and promoting hate speech and hostility, especially in some parts of Eastern Europe. Moreover, the press was reluctant to enable self-representation of vulnerable groups of people, as refugees and migrants were given limited opportunities to speak directly of their experiences and suffering.<sup>74</sup> The 'silencing' of people and media representation of the affected group as 'others', with very few exceptions, was the general trend with potential long-term consequences of social intolerance, hatred and injustice. Also, these practices were even more prevalent to female refugees and migrants, whose perspectives were rarely represented.

In at least three countries, the findings of a cross-European press content analysis has shown<sup>75</sup> that, initially, the media generally paid little attention to the context of the migration phenomenon. Moreover, the narrative changed substantively after the November 2015 Paris attacks, with institutional players having an even more dominant voice, further reducing the news representation of the perspectives of migrants themselves.<sup>76</sup>

In countries which were directly affected by the mass movement of refugees, migrants and asylum seekers, several attacks by law enforcement authorities on freedom of the press and various measures taken against journalists were reported, including denial of press entrance to transit centres and refugee camps where asylum seekers were held.<sup>77</sup>

## NEW NEWS PLAYERS: THE DEMOCRATIZATION OF NEWS PRODUCTION?

Since 2012, Eurobarometer surveys systematically gathered data on internet use and news consumption on European Union member countries within the region. Analyses indicate increasing political participation and support for democracy especially when seeking information from social media.<sup>78</sup> This trend corresponds with other studies suggesting relatively higher levels of trust in social media within the region.<sup>79</sup> All this may signal increasing production of news by non-traditional actors using social network platforms.

## MEDIA AND INFORMATION LITERACY

The ability of audiences to critically consume a plurality of media content relies on a composite of several factors and competencies. There are generally no signals of improvement in media and information literacy skills, which contributes to deterring pluralism perception in the region.

Civil society played a very active role in media literacy projects targeting 'teens and older students' as the most common audience group. Skills linked to 'critical thinking' were the dominant across those projects. The level of media literacy activity varied significantly across countries in the Central and Eastern Europe with a great disparity between countries in the number of identifiable main stakeholders and in media literacy networks.<sup>80</sup>

<sup>73</sup> Cardiff School of Journalism - UNHCR 2015.

<sup>74</sup> Council of Europe 2017.

<sup>75</sup> Chouliaraki, L. et al. 2017.

<sup>76</sup> Greussing and Boomgaarden 2017.

<sup>77</sup> Committee to Protect Journalists 2016.

<sup>78</sup> Placek 2017. Placek, M. (2017). #Democracy: Social media use and democratic legitimacy in Central and Eastern Europe. *Democratization*, 24(4), 632-650.

<sup>79</sup> EBU 2018. EBU Media Intelligence Service 2018. Trust in Media. Available at: [https://www.ebu.ch/files/live/sites/ebu/files/Publications/MIS/login\\_only/market\\_insights/EBU-MIS%20-Trust%20in%20Media%202018.pdf](https://www.ebu.ch/files/live/sites/ebu/files/Publications/MIS/login_only/market_insights/EBU-MIS%20-Trust%20in%20Media%202018.pdf)

<sup>80</sup> EAO 2016. European Audiovisual Observatory, Strasbourg 2016. Mapping of media literacy practices and actions in EU-28.

# Gender equality and media pluralism

Gender inequality in access to ICTs and broadband, and the overall global internet user gender gap, grew according to global trends from 11 per cent in 2013 to 12 per cent. Among the smallest gaps observed was with the CIS sub-region (5 per cent)<sup>81</sup>. Furthermore, the gender gap between men and women in Science, Technology and Mathematics (STEM) careers widened further in many countries of the region, especially in European Union member States (with 1 exception), with significant falls in the proportion of women participating in ICT jobs reaching to 10 percentage points in some cases.<sup>82</sup>

## GENDER EQUALITY IN THE MEDIA WORKFORCE

Proportions of women writing and presenting the news in CEE were slightly higher compared to European average of whom 41 per cent were women. In print the ratio was around 38 per cent (Europe - 34 per cent), radio 58 per cent (Europe - 40 per cent), and television 49 per cent (Europe - 48 per cent).<sup>83</sup>

## WOMEN AND DECISION-MAKING

In at least two EU member countries within the region, women's presence in media decision-making is significantly higher compared to the EU average (30 per cent), and in at least three other<sup>84</sup> countries, women comprise between 40 per cent and 50 per cent of decision-makers. Conversely, there are at least six countries with no women at the most senior strategic positions in media organisations.

Gender equality in the boards of media organisations operates differently, where at least two countries host equal shares of men and women occupying board positions in general, and in one country more women than men occupy the board positions in private media companies. In at least three countries, women occupy less than 10 per cent of the board positions in private media organisations. In the public sector there are two such countries. In four countries women occupy only one in five or fewer board seats.

## GENDER AND REPRESENTATION

It was reported that in about 11 countries of the region “women comprise a quarter of all news sources but they are significantly under-represented in the story categories which have most prestige and prominence, those about politics/government and the economy”. In addition, “...women are significantly over-represented in those occupational groups with the least status and under-represented in occupations with high social standing” (Global Media Monitoring Project 2015).

<sup>81</sup> ITU-UNESCO Broadband Commission 2016, 46.

<sup>82</sup> ITU-UNESCO Broadband Commission 2016, 48.

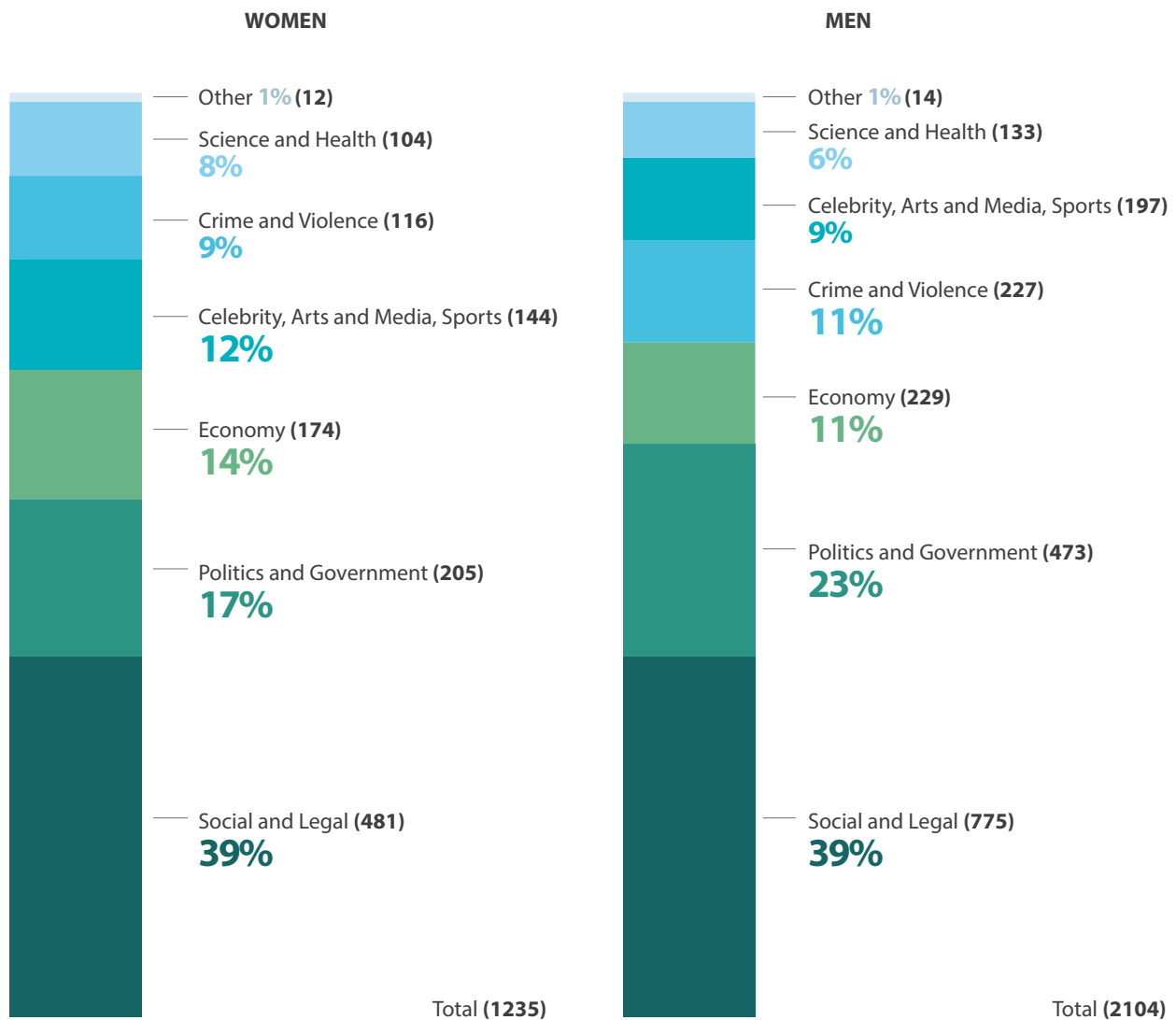
<sup>83</sup> Global Media Monitoring Project 2015 country level data aggregation

<sup>84</sup> Review of the Implementation of the Beijing Platform for Action in the EU Member States: Women and the Media — Advancing Gender Equality in Decision-Making in Media Organisations, 2013.

As Figure 2-6 below shows, in terms of news writers and announcers, a third of women reporters are covering social and legal news. Approximately the same percentage (over 30 per cent) of women write on politics and government. In the digital world, “women’s overall presence in new media was 25 per cent, the same as for the combined media of print/radio/television”.

Moreover, Figure 2-6 suggests, that it is mostly social issues that are covered by female journalists (39 per cent), highlighting the role of women in media content production.

**Figure 2-6: Gender of reporters by main story topic (television, print, radio)**



Source: Global Media Monitoring Project 2015

# Trends in Media Independence

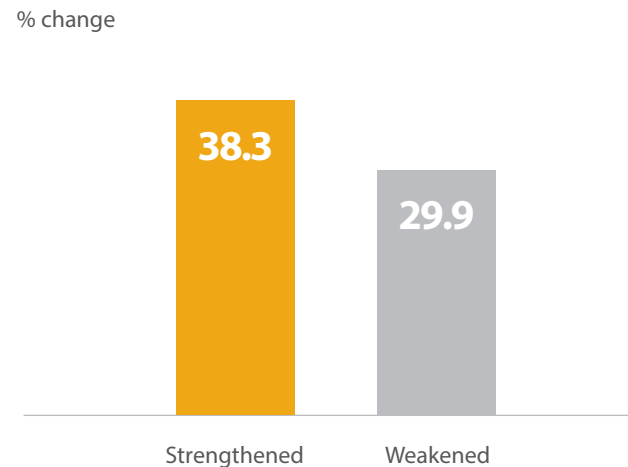
## Overview

Throughout the Central and Eastern European region, trends indicate a general decline in the level of independence of the media, related to various factors including the reliability of news and information, the manipulation and disinformation driven by foreign propaganda, and the influence of commercial interests on media content. A decline in the public trust in the media negatively impacts the relevance of media for the society. Figure 3-1 indicates perceptions that there has been a weakening of the role played by journalism in the countries of the region.

Journalism is under pressure in all countries in the region, facing increased politicization and economic pressures. Job insecurity, low wages and mediocre social protection, along with political and commercial attempts to silence critical journalism, has led to a state of 'crisis of trust'<sup>85</sup> and to the (re-)appearance of self-censorship, thus limiting media freedom and independence. Also, there was a significant increase of perceived pressures toward sensational news reporting (see Figure 3-2).

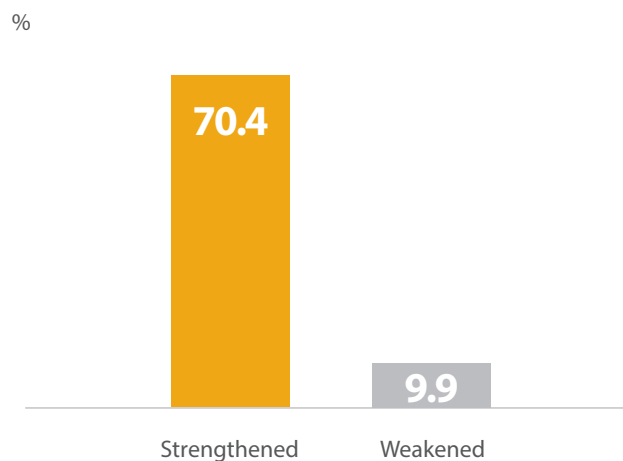
Declines in media freedom and in the independence of the media, and the weakening of pluralism, have together contributed to deteriorating ethical and professional standards of journalism. This has been particularly showcased by the inability of the media to play its democratic role at moments of humanitarian crisis.<sup>86</sup>

**Figure 3-1: The perceived relevance of journalists for society**



Source: Worlds of Journalism, Study 2016

**Figure 3-2: Perceived pressures toward sensational news**



Source: Worlds of Journalism Study, 2016

<sup>85</sup> Hrvatin 2017.

<sup>86</sup> Council of Europe 2017, 13



Trends in media independence in the region include the following:

- The politicization of media regulators has accelerated, even in countries where legal requirements are in place to guarantee independence;
- International and regional (EU) legal and policy frameworks fall short of addressing breaches of independence, leaving national contexts without sufficient safeguards;
- Self-censorship, spurred on by factors of media viability, continues as a main factor in limiting media freedom;
- State capture of media and ‘soft censorship’ emerged through various forms of selective distribution of media subsidies, and through the partisan allocation of state advertising. This was accompanied by a general lack of transparency over the allocation, as well as biased application of regulatory and licensing powers with direct and indirect influence on media output that resulted in market distortion in several countries.

## Trends and transitions in regulation

Safeguarding independence necessitates legal and normative frameworks to be coupled with efficient implementation exerted by a variety of actors in governing media. It includes complex governance structures at national and supra-national level to ensure independent operations of regulators, as well as statutes and provisions of law that protect independent news and media structures. It also entails the subsidiarity of the different forms of state, self, and co-regulatory forms and constructions to enable the necessary but not overwhelming level of regulation.

### INDEPENDENCE AND GOVERNMENT REGULATION

International normative standards dictate that an independent regulator is best placed ‘to act impartially in the public interest and to avoid undue influence from political or industry interests.’<sup>87</sup> There are a wide range of best practices on legal, structural, operational, cultural, and behavioural characteristics of independence that serve as benchmarks when assessing trends in the region. These have been referred to as *de jure* independence (legal status, governance rules, sources of funding), as effective functioning (regulatory, monitoring and sanctioning powers, degree of international cooperation) and as accountability (formal accountability, transparency requirements and judicial review).<sup>88,89</sup> However, an acceleration of the politicisation of regulators appears within the region in various forms, ranging from direct political pressures to undue political and economic interference, as well as underfinancing and understaffing resulting in unprofessionalism, inefficiency and loss of credibility.

<sup>87</sup> Salomon 2016.

<sup>88</sup> INDIREG 2011.

<sup>89</sup> Institute für Europäisches Medienrecht and Université du Luxembourg 2015.

Formal independence is explicitly or implicitly recognized by legislation (*de jure*) in the majority of countries, with exceptions to the CIS sub-region, and there have been recent cases in which regulators are formally compliant with sets of legal requirements on independence. Nonetheless, they tend to enforce political agendas, and thus do not necessarily serve the public interest. *De jure* independence does not guarantee independence in practice.<sup>90</sup>

There is also an emerging trend of international and regional (EU) legal and policy frameworks falling short on addressing breaches of independence, leaving national contexts without sufficient safeguards.<sup>91</sup> The general lack of monitoring systems that evaluate the independence of regulators on the basis of specific, evidence-based criteria, and a lack of efficient remedies in cases of infringements, hinder the implementation of media policies for pluralism and impact negatively on media freedom.

Appointment and dismissal procedures of board members is further politicized in the region, where political loyalty is valued over expertise and dedication to regulatory principles of independence, with a few exceptions in countries of the Baltic sub-region. Rules on conflicts of interest of board members are in place in the majority of EU member countries, but these are mostly only applicable to appointment processes, leading very often to 'revolving door' situations once members leaving their posts on regulatory boards.

Professional qualifications and expertise as criteria for board members of regulators is another significant indicator of their independence, but requirements in this regard are missing completely in a considerable number of countries.<sup>92</sup> Where legal requirements are in place, they vary substantially, and are not consistent in addressing the independent operation of board members. Financial independence to ensure the ability of the regulator to function without undue interference from government or by an over-reliance on fines and fees collected, is sufficient only in very few countries of the region, mostly in the Baltic sub-region.

The range of regulatory powers was extended in some countries, thus strengthening the independence of some regulators. Other countries saw the emergence of 'super-regulators' which are granted overwhelming and concentrated power. Supra-national cooperation and involvement of regulators in regional discourse has been strengthened in EU member countries and pre-accession countries, supporting professionalism and independence. In general, the lack or insufficiency of accountability of regulators towards democratic institutions, to stakeholders and to the public, is an on-going trend with a negative impact on the protection of media freedoms, including for example, non-transparent licensing procedures.

The influences on media regulatory systems in the majority of EU member countries and in those aspiring to access the EU in the SEE sub-region, have significantly contributed to the enactment of legal and normative guarantees with regard to the independence of regulators.<sup>93</sup> However, as a result of inconsistencies in the EU accession process – the 'Copenhagen-dilemma' – some countries, having successfully joined the EU afterwards, may ignore those policy requirements that were pre-requisites of the accession. This phenomenon leaves the implementation of safeguards of independence without sufficient assurances.

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<sup>90</sup> Mutu 2015.

<sup>91</sup> Polyak and Rozgonyi 2015.

<sup>92</sup> Institute für Europäisches Medienrecht and Université du Luxembourg 2015.

<sup>93</sup> Balkan media 2012-2017.

## SELF-REGULATION

The legal protection of journalists from undue influences is not sufficient in a number of countries within the region (especially EU member countries). In many cases, ethical codes of conduct include the right of journalists to resist pressure, either of a political or of an economic nature, but generally neither laws nor other institutional mechanisms provide sufficient protection for journalists to allow a reliance on them.<sup>94</sup>

While self-regulation of journalism aims to provide a mechanism to protect the independence of the profession, there are several emerging trends within media-related discourse which question the efficiency and the relevance of media self-regulation, thus undermining the credibility of self-regulatory systems. In many cases, self-regulatory bodies were compromised by supporting some political interventions, and co-regulation was often used as a new way of exerting political or economic influence over media.

## Political and economic influences in media systems

The most significant global trends of de-legitimation by political actors of the media, and of media capture, impacted media systems in the CEE region.

### TRENDS OF DE-LEGITIMIZING MEDIA

Systematic attacks on the media are reflected in forms of intimidation, harassment, arrest, and even murder.<sup>95</sup> Politicians exerted influence with the aim of delegitimizing media outlets in several countries of the region.<sup>96</sup> Moreover, cybersecurity attacks, including targeted surveillance and hacking were increasingly aimed at journalists in the region.<sup>97</sup>

### MEDIA CAPTURE

Commercial pressure on independent media content is an ongoing and also, in some countries, emerging trend within the region. Business-related interests of owners of private media have a strong impact on editorial policies, including widespread practices of 'paid content' disguised as news, weakening the credibility of journalism. In addition, large commercial companies and powerful advertising clients can exert pressure and even aim at silencing critical media, especially within the context of the economic crisis. All these factors have a decisive impact on the independent operation of media outlets and on the nature of media content.

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<sup>94</sup> Bard and Bayer 2016.

<sup>95</sup> Helsinki Commission Briefing 2017. Prepared remarks by VOA Director Amanda Bennett at Helsinki Commission briefing. Available at: <https://www.bbg.gov/2017/10/04/systematic-attacks-journalists-russia-post-soviet-states/>

<sup>96</sup> Committee to Protect Journalists 2015. Balancing Act: Press freedom at risk as EU struggles to match action with values. A special report by the Committee to Protect Journalists 2015 Available at: [https://cpj.org/reports/cpj\\_eu\\_special\\_report\\_2015.pdf](https://cpj.org/reports/cpj_eu_special_report_2015.pdf)

<sup>97</sup> Deutsche Welle 2017. Eastern European journalists' ongoing battle. Available at: <http://www.dw.com/en/eastern-european-journalists-ongoing-battle/a-37857391>

State capture of media and 'soft censorship'<sup>98</sup> has occurred in several countries in the region. It materialized in various forms of selective media subsidies and in the partisan allocation of state advertising, accompanied by a general lack of transparency over those allocations, as well as a biased application of regulatory and licensing powers with direct and indirect influences on media output. This has led to market distortion and limited media independence. Recognizing and exposing such practice has been difficult, and has only recently reached the agenda of investigative media, of civil society and of academia.<sup>99</sup> The risk of politicized control over media outlets is an increasing trend in many countries, even in the EU countries. There "is very little, if anything, which can prevent politically affiliated owners from interfering with the editorial content".<sup>100</sup> Although there is a general lack of data on the political affiliation of media owners, there are many ways to determine the growing number of those affiliations.

The politicization of media outlets in the region, the opacity of media ownership structures, and commercial revenues still being on the decline, as well as an increased dependency of media on state advertising revenues, are the major factors contributing to the emergence of soft censorship. The generally weak economic position of the media, accompanied by the impact of the fragmentation of the audiences, further facilitates the increasing market power of state advertising over media independence. Flawed and non-transparent allocation of state advertising budgets, purchases to politically friendly outlets, discouragement of advertisers by authorities from doing business with critical outlets, abuse by political actors, pricing discounts from outlets friendly to the government, and non-proportional distribution of expenditures, are among the common practices in almost all countries in the region (with the exception of the Baltic sub-region).

These practices allow governments to influence media content, in certain cases also leading to direct censorship, and to affect existing business models while restructuring media markets with long-term effects. They have also contributed to the emergence of 'media capture' while compromising the autonomy of media outlets. Media capture and soft censorship have thus become new instruments of manipulating the media and the public sphere<sup>101 102</sup>.

Political pressures are also pervasive in state-owned media. Beyond the symptoms of non-complete transitions of state media to public service broadcasters, there are newly emerging trends of political control over journalists working at these media outlets. The dismissal of professional staff and partisan appointments, and major shifts in programming content and tone, are among the symptomatic factors of the political pressure on public service media.<sup>103</sup>

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<sup>98</sup>"Soft censorship" (or "indirect government censorship") describes an array of official actions intended to influence media output short of legal or extra-legal bans, direct censorship of specific content, or physical attacks on media outlets or media practitioners" (World Association of Newspapers and News Publishers 2014: 4)

<sup>99</sup> Szeidl and Szucs 2017.

<sup>100</sup> Centre for Media Pluralism and Freedom 2014, 2015, 2016.

<sup>101</sup> World Association of Newspapers and News Publishers 2016.

<sup>102</sup> Merteck Media Monitor 2014a.

<sup>103</sup> International Press Institute and Griffen, Scott 2016.

## FINANCIAL REGULATIONS AND BUSINESS MODELS

A key pillar of both 'internal' and of 'external' pluralism is public service media in the European tradition. While there have been substantial efforts since the democratic change regarding the transformation of state media into public service media, these have seen differing results throughout the region. Public service media is regarded, even in the digital era, as an ultimate safeguard of pluralistic views and representation in a society. This is also the rationale behind the support of international organizations – especially of the Council of Europe – and of donors determined to assist in achieving appropriate structural changes in those countries of the region where the transformation process is not yet completed. In almost all regions, the more independent models of public service broadcasting have been struggling, and funds directed to public service broadcasting have been stagnating or declining since 2012.<sup>104</sup>

Throughout the region, public service media is subject to varying difficulties, including the commercialization of content, the fragmenting of audiences, and the emergence of new global challengers, among others. This is in addition to systemic political interference, ranging from budget cuts to an often insistent questioning of the legitimacy of public service media. The European Broadcasting Union (EBU) reports an ongoing trend of declining funding to public service media since 2011, and public media budgets witnessing a combined cut of approximately €1.78bn (US\$1.87bn), including in countries of the Central and Eastern European region. The EBU further argues that the structural erosion of revenues has had a negative impact on quality content and innovative programming.

In the countries of the region where public service media was re-established during the past few decades, there are re-emerging trends of complex and combined political interference and pressure on the independence of public service media, challenging the role of these outlets in setting the political agenda and framing public opinion.

In a number of countries, laws were adopted to facilitate government intervention in the governance of public service broadcasters. Moreover, legislative and regulatory amendments of the funding mechanisms targeted the independence of public service broadcasters through increasing governmental discretion in providing funds for operations. Other recurring patterns and trends include politicization and clientelism, systemic underfunding, and increasing exposure of public service broadcasters to corporate pressures via advertising. All this has reduced the ability of public service media to serve its publics, or to enhance social integration and cohesion in a great number of countries in the Central European and of the SEE sub-region.

Funding of public service media should entail transparent, predictable and sustained means of financing - such as a balanced mix of state budget, licence fee and of advertising - in order to safeguard the operational independence of those media. The region shows evidence of ongoing trends of deviations by governments regarding these fundamental principles. Governments support legal and policy frameworks which distort public service media financing. Public service media funding

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<sup>104</sup> European Broadcasting Union 2015.

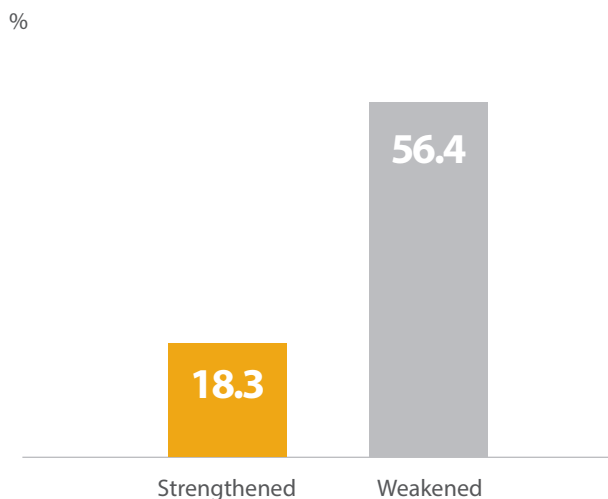
allocations are not transparent.<sup>105</sup> Funding models are broken or have virtually collapsed as a result of a lack of enforcement of the collection of licence fees and/or politically motivated underfinancing, partisan use of public resources (in certain cases, along with over-financing) and generally declining advertising income. All this leads to political colonization and instrumentalization of public service media.<sup>106</sup> Moreover, in one country of the SEE sub-region, the public service broadcaster was shut down at a critical point of financial downturn.<sup>107</sup>

Private media business models are under pressure in several countries. Discriminative taxation of media outlets in the form of legislative intervention emerged in the region. Media outlets critical of governments were subject to punitive special taxes which undermined their financial stability. The emergence of this type of indirect restriction could jeopardize remaining profitability of the media, leading to potential further downsizing and decreases in media output. State advertising as a means of direct and indirect government control is used to capture media outlets.<sup>108</sup>

### JOURNALISTS' PERCEPTIONS OF MEDIA INDEPENDENCE, AND PUBLIC TRUST

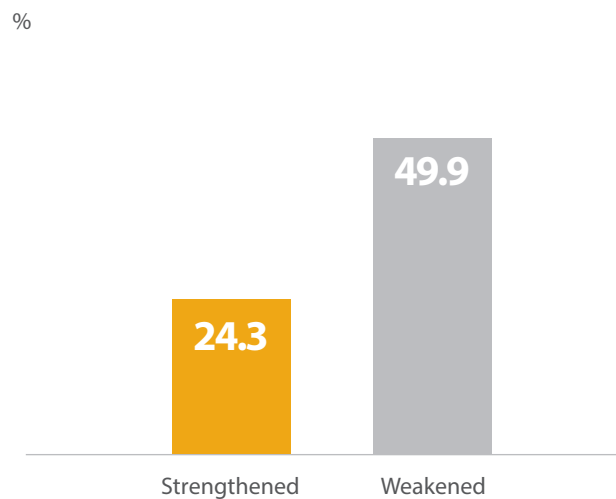
Commercial influences and the impact of unfavourable working conditions of journalists are increasingly catering for widespread practices of self-censorship. Figure 3-3 illustrates the reported decline in the average time that was available to journalists for investigating and researching stories. Furthermore, in some countries, the majority (over 70 per cent) of journalists surveyed practice self-censorship, and an even higher ratio (over 80 per cent) feel under some level of pressure when generating content.<sup>109</sup> Media owners having interests in other business areas also exert pressures on journalists with the negative effects on media independence.<sup>110</sup>

**Figure 3-3: Reported time available for researching stories**



Source: Worlds of Journalism Study, 2016

**Figure 3-4: The perceived credibility of journalism**



Source: Worlds of Journalism Study, 2016

<sup>105</sup> Centre for Media Pluralism and Freedom 2014-2016.

<sup>106</sup> Davor 2016.

<sup>107</sup> OSCE RFoM 2017; Hodžić 2016.

<sup>108</sup> Dragomir 2017.

<sup>109</sup> Mertek Media Monitor 2014b.

<sup>110</sup> Bard and Bayer 2016.

Finally, the independence of the press is affected by a general downturn in job security, lessening the overall appeal of the profession.<sup>111</sup>

Recent measurements in a number of countries show that, based on overall results, broadcast media (radio and television) are still the most trusted media, though some increase in public trust in written press has been also evident.<sup>112</sup> Though public trust in online media was relatively high in eastern European countries, the net trust index was in the negative in the CEE region. In countries of the SEE sub-region, citizens tended not to trust television over radio (with a few exceptions).<sup>113</sup>

In most countries with EU membership, public trust decreased in 2015 across all media types. Television was the most affected, while the written press, the internet, and online social networks experienced a smaller decline. Though trust in radio has also decreased, its net trust index was still positive, but it tended not to be trusted within the SEE sub-region, along with the written press. Online media tended to be trusted in Eastern Europe.<sup>114</sup> Figure 3-4 shows the meaningful drop in perceptions in credibility of journalism.

## PROFESSIONALISM AND EFFORTS TO MITIGATE POLITICAL AND ECONOMIC INTERFERENCE

NGOs that support media freedom, directly or indirectly, have been side-lined or worse in some parts of the region. Since the democratic transition, international donor support to journalism has played an important role in providing professional and direct assistance to the media. This support was gradually withdrawn in anticipation of socio-economic and political changes in most countries in the region, and especially because of the EU accession. The underlying assumption, which is yet to be realized, was the prospect of new sources of funding, and a strengthening of civil society.<sup>115</sup>

Recently there have been sharp variations throughout the region regarding the extent of consolidation of democratic governments and the need to reinforce the potential role of civil society. Non-governmental organizations, including those supporting media development, have sought to play a contributing role. The impact of the financial crisis and the generally weak economic position of the media in the region intensified the need for donor support and financing. Media assistance became important once again, to ensure the success of an independent media, to support investigative journalism, and to financially sustain media outlets even within authoritarian contexts.

Governments within the CIS, the SEE sub-regions and also in some EU member countries, have become increasingly aware of donor support to the survival and functioning of some media outlets and the resultant potential strength of civil society. Recognising this, some governments have introduced legal barriers to external funding, enacted measures constraining civil society groups and organizations supported by them.<sup>116</sup> There is an emerging trend in these countries of governments focussing on NGOs which offer assistance to media outlets, restricting their ability to receive grants and foreign funding, registering them and their grantees as ‘foreign agents’, and generally creating new obstacles to hinder their work. In partial response, some new emerging models of mainly digital, independent non-profit investigative journalism enterprises<sup>117</sup> have emerged.

<sup>111</sup> Konrad-Adenauer Stiftung - Media Program South East Europe 2016.

<sup>112</sup> European Broadcasting Union 2016.

<sup>113</sup> Ibid.

<sup>114</sup> Ibid.s

<sup>115</sup> Trust for Civil Society and in Central and Eastern Europe 2013.

<sup>116</sup> International Center for Not-for-Profit Law 2014.

<sup>117</sup> An example – “Europe’s Investigative Journalists Get Boost from Google DNI Fund - 2016”, including for the first time a considerable number of investigative journalism projects.

Meanwhile, support from international organizations continues to play an important role within the region, especially in fostering self-regulation, monitoring media freedom and independence, promoting media pluralism and literacy, and in providing support for capacity building.

## Gender equality and media independence

### GENDER EQUALITY IN THE MEDIA WORKPLACE

Among EU member state countries within the region, women are much more likely to be recruited or promoted to senior positions in public media organisations than in the private sector.<sup>118</sup> However, participation by women on the boards of national media regulatory bodies, within the EU member countries of the region, falls below the EU average (31 per cent), indicating regional trends of an insufficient gender balance.<sup>119</sup>

### MEDIA MONITORING AND ADVOCACY

There is a systemic lack of data and information on gendered aspects of the media in the region. Only countries with EU membership are subject to regular monitoring by the European Institute for Gender Equality and by the European Union Agency for Fundamental Rights. Furthermore, it is the mandate of the Council of Europe to address gender and the OSCE's Representative on Freedom of the Media focuses on specific issues such as safety of women journalists.

NGOS such as the South East European Media Observatory and the Peace Institute addressed processes of gender differentiation in the media industry reproduced through the media's convergence, conglomeration, and commodification.

### FORMAL AND PROFESSIONAL ASSOCIATIONS

Advocacy and feminist activism in the media is performed by some dedicated initiatives organised around independent associations and feminist blogs. Violence against women is very often on their agenda and popular hashtags such as "I'm not afraid to say" were used for their communication.

Furthermore, mentoring and other supporting programs for younger women journalist are common. Some initiatives addressed refugee women during the times of crisis. Also, defending public service broadcasting and women journalists under attack gained support from these initiatives.<sup>120</sup>

New platforms advocating gender perspectives, such as news roundups produced by women, from top EU media brands (NewsMavens) have emerged. Also, the *Balkan Investigative Reporting Network* and the Center for Investigative Reporting provided meaningful support to the work of women journalists.

<sup>118</sup> Review of the Implementation of the Beijing Platform for Action in the EU Member States: Women and the Media — Advancing Gender Equality in Decision-Making in Media Organisations, 2013.

<sup>119</sup> Review of the Implementation of the Beijing Platform for Action in the EU Member States: Women and the Media — Advancing Gender Equality in Decision-Making in Media Organisations, 2013, 35.

<sup>120</sup> Hromadske International 2017. 21 Remarkable Women Who Are Changing Eastern Europe. Available at: [https://en.hromadske.ua/posts/21\\_remarkable\\_women](https://en.hromadske.ua/posts/21_remarkable_women)



# Trends in **Safety of Journalists**

## Overview

Violent clashes, nationalism, and a broadening of control and harassment of media personnel in some countries, made the five years from the start of 2012 to the start of 2017 a troubling and dangerous time for journalists in Central and Eastern Europe.

While the overall number of journalist killings dropped slightly from the previous 5-year period of 2007 to 2011, killings and other violent attacks against journalists spiked in 2014 as journalists covering events in the Crimea were targeted by different groups.

Critical and independent journalists were accused of acting as subversive elements in increasingly nationalistic political environments making them targets of government supporters and state actors. Death threats, physical attacks and other acts of intimidation also took place with impunity against journalists reporting on crime, corruption, extremist groups and human rights abuses. While the number of instances of the detention of journalists was not as high as in some regions, frequent imprisonment was practiced by some states against critical journalists and bloggers. Several countries put mechanisms in place to investigate unsolved murders of journalists, though only one has led to arrests.

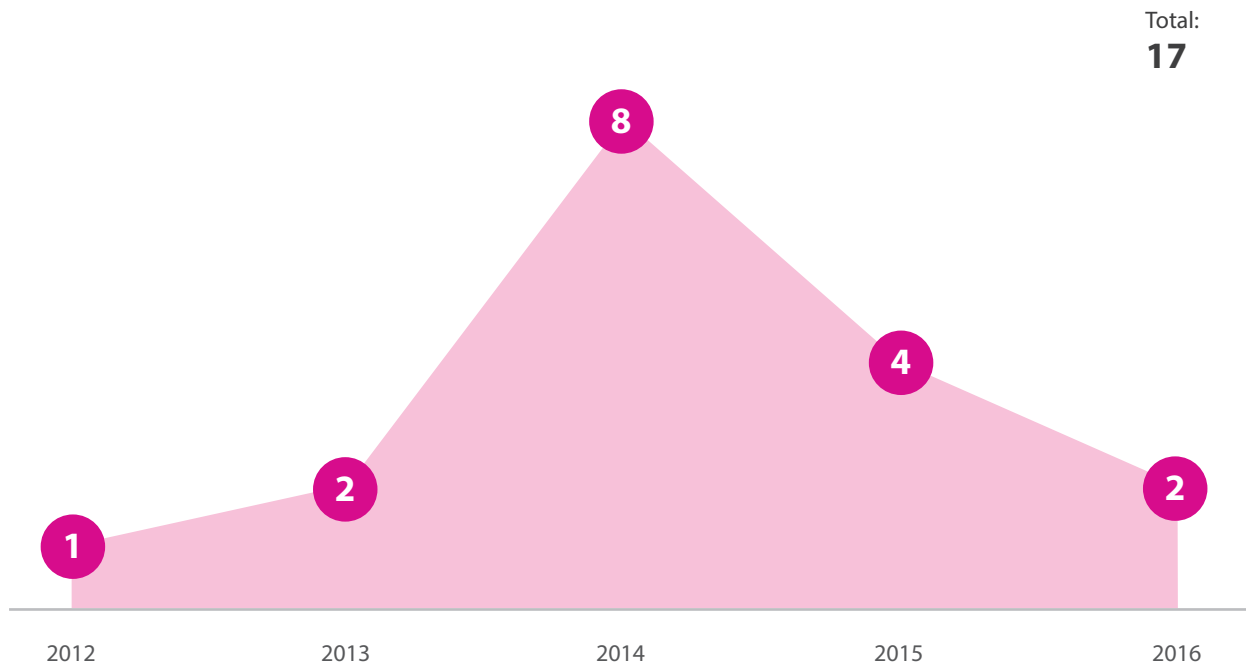
Trends in the safety of journalists in the Central and Eastern European region include the following:

- While the region reflected the second lowest number of journalist killings for any region, the number of killings dropped only slightly when compared to the previous 5-year period;
- A large portion of the journalists killed (41 per cent) were foreign, unlike most other regions where victims were nearly all local journalists. All of the foreign journalists killed were working in one country;
- The level of impunity has increased when compared to the previous 5-year period. In most cases where a resolution was reported, states maintained that the crime was not related to the journalism of the victims;
- While no killings of women journalists were recorded in Central and Eastern Europe between 2012 and 2017, other attacks, particularly online harassment and threats, regularly undermined the security of women journalists. Smear campaigns were instigated against women journalists involving private photos or videos, which in some cases formed a precursor to offline attacks;
- The imprisonment of journalists has fluctuated since 2012, but has consistently been concentrated in a small number of countries. In 2017, 18 of the 20 imprisoned journalists were internet journalists;
- The most common charges laid against journalists are 'retaliatory,' meaning criminal charges not directly concerning journalism but levied in reprisal for critical reporting. Shorter term detentions of journalists and interrogations are used to pressurize the media.

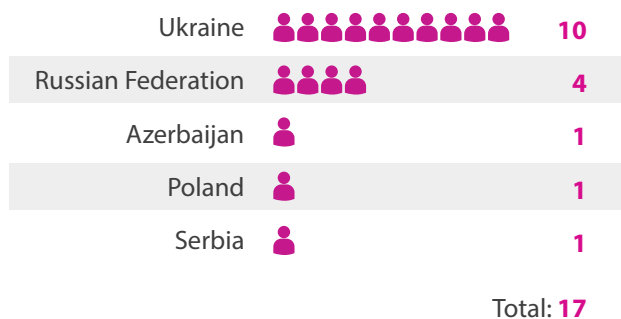
# Physical Safety & Impunity

UNESCO’s Director-General condemned the killings of 17 journalists and media workers that occurred in Central and Eastern Europe between 2012 and 2017<sup>121</sup>, which formed the second lowest number of killings for any region. In 2014 the highest number of killings took place for a single year during this 5-year period, when 8 journalists and media workers were killed, 6 of whom were based in the Ukraine and who were killed between February and June during a period of violent clashes. By the end of the 5-year period, the number of journalist fatalities had slowed. In 2016, the Director General condemned 2 killings in the region. The total number of killings is slightly less than the tally of the previous period 5-year period of 2007 to 2011, which was 18.

**Figure 4-1: Journalists killed in the Central and Eastern Europe region each year between 2012 and 2017**



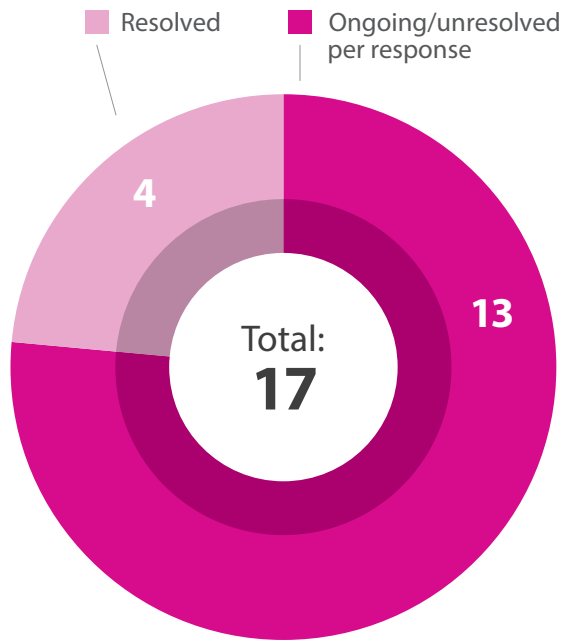
**Figure 4-2: Journalists killed in the Central and Eastern Europe by country**



A large portion of the victims (41 per cent) were foreign journalists, unlike most other regions where victims were nearly all local journalists. All of the foreign journalists were killed were working in one country (Ukraine) and 6 were from Russia. Freelance journalists made up 12 per cent of the victims. Journalists working for the print media were the largest group of victims by medium, followed by television journalists. Journalists working primarily online made up the third largest group to be targeted.

<sup>121</sup> UNESCO’s internal database of Journalist Killings and Status of Judicial Inquiry, 2012-2016 inclusive. Unless stated otherwise, the figures on killings of journalists that follow are taken from this database.

**Figure 4-3: Responses provided by Central and Eastern Europe Member States to the UNESCO Director-General's requests for judicial status of journalist killings**



The level of impunity has increased when compared to the previous 5-year period. In mid-2017, all Member States where journalists had been killed responded to the UNESCO Director-General's request for an update on the status of judicial inquiry. In 4 cases, or in 24 per cent of the overall number of killings in the region for the 2012 to 2017 period, states reported that resolutions were achieved. In 3 cases, suspects were convicted, and in 1<sup>122</sup> they were killed while resisting arrest, according to the state. In 13 cases (76 per cent of all killings), states reported the status of the enquiry as ongoing. In most cases where a resolution was reported, states maintained that the crime was not related to the victims' journalism. Response rates to requests for information on the status of judicial enquiries related to journalist killings improved when compared to the previous 5-year period, when only 2 out of 4 states responded to requests for information by the Director General.<sup>123</sup>

The region saw a proliferation of other physical assaults against members of the media. In addition to the journalists killed covering unrest and fighting in the Ukraine, human rights groups documented dozens of cases of attacks, including at least two abductions, and harassment against journalists in the Crimea, allegedly carried out by self-defense and paramilitary groups in 2014.<sup>124</sup> The level of violence against journalists has dropped since then, but impunity related to those and other attacks have had a chilling effect on the media in the Ukraine.<sup>125</sup>

Journalists reporting on crime, politics and corruption in Balkan states experienced high levels of intimidation through threats and incidents of violence, including beatings, knife attacks, bombings, and equipment wreckage.<sup>126</sup> In many cases, journalists critical of politicians or policies were labeled unpatriotic and targeted by government supporters or nationalistic groups.<sup>127</sup> Journalists in the Caucasus region reporting on human rights, terrorism and extremist groups, also experienced threats and attacks.<sup>128</sup> In at least one country, journalists covering the plight of migrants were beaten by police and banned from refugee camps and processing centers.<sup>129</sup>

In recent years, media outlets in several countries reported an increase in cyberattacks on news websites and an increasing number of threats made online and via social media.<sup>130</sup>

<sup>122</sup> Kazbek Gekkiyev, killed in 2012 in Russia.

<sup>123</sup> UNESCO 2014f.

<sup>124</sup> Human Rights Watch 2014; Suleymanov 2014.

<sup>125</sup> Ognianova 2017.

<sup>126</sup> Marthoz 2014.

<sup>127</sup> SEEMO

<sup>128</sup> Ognianova 2017.

<sup>129</sup> Marthoz 2016.

<sup>130</sup> Gall 2015.

## Gender equality and the safety of journalists

While no killings of women journalists were recorded in Central and Eastern Europe between 2012 and 2017, other attacks, particularly online harassment and threats, regularly undermined the security of women journalists. The Mapping Media Freedom Project<sup>131</sup> documented hundreds of attacks involving women journalists in Central and Eastern Europe since 2014. Aggressions included arrests, attacks on property, civil lawsuits, sexual harassment, physical attacks and trolling, among other actions.

Online attacks against women emerged as an increasing trend since 2012. Though the phenomenon affects male journalists as well, cyber threats against women journalists exhibited gender specific characteristics. In a survey<sup>132</sup> on digital abuse against women journalists conducted in 2015 among member states that included women journalists from 7 Central and South Europe countries<sup>133</sup>, the Organization for Security and Cooperation in Europe (OSCE) found that most respondents received online threats, including death threats or threats of sexual abuse. Some threats indicated knowledge of private information such as home addresses and extended to family members. Other attacks included hacking and circulation of defamatory photos or information. Reporting on political issues, criticism of the government, and sensitive issues related to migration issues, human rights, religion, feminist issues and terrorism, precipitated online abuse.

The personal nature of attacks against women journalists online have motivated some women journalists to omit bylines, disguise their identities on Facebook and other social media<sup>134</sup>, or opt out of some reporting. Women who reported threats have received little or no response from authorities.<sup>135</sup> Smear campaigns have been instigated against women journalists involving private photos or videos, which in some cases form a precursor to offline attacks.<sup>136</sup> One well known women investigative journalist was arrested following a wave of virtual harassment.

Regional organizations raised increased awareness regarding the challenges experienced by women journalists in recent years. In 2015, the OSCE organized an expert meeting titled 'New Challenges to Freedom of Expression: Countering Online Abuse of Female Journalists', which produced a publication of the same title to examine the experiences of women journalists and how abuse can be combatted. In 2016, the Council of Europe's Committee of Ministers adopted recommendation CM/Rec(2016)4 on the protection of journalism and safety of journalists and other media actors, which notes a need for systematic responses to gender specific threats.

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<sup>131</sup> Mapping Media Freedom tracks violations against the media in European Union member states, candidates for entry and neighboring countries. It is managed by Index on Censorship in partnership with the European Federation of Journalists and Reporters Without Borders. Mapping Media Freedom works together with the European Centre for Press and Media Freedom (ECPMF) and is funded by the European Commission.

<sup>132</sup> OSCE 2015.

<sup>133</sup> Member states from South and Central Europe included in the survey are: Russia, Ukraine, Belarus, Azerbaijan, Bulgaria, Bosnia and Herzegovina and Serbia.

<sup>134</sup> Geybullayeva 2016; Sajkas 2017; Tofalvy 2017.

<sup>135</sup> Sajkas 2017.

<sup>136</sup> Geybullayeva 2016; Sajkas 2017.

## Other dimensions in the safety of journalists

The imprisonment of journalists has fluctuated since 2012, but has consistently been concentrated in a small number of countries. From 2012 to 2017, the number of journalists from Central and East Europe on the annual census of imprisoned journalists published by the Committee to Protect Journalists ranged from 14 in 2012 and 2013, to 16 in 2014. By the end of 2016, the number journalists in prison dropped to 13, but in 2017, imprisonments surged to 20. Throughout this 5-year period, the majority of jailings took place in a single country in the Caucasus region. Imprisonment data also reflects the increasing dependence of independent and critical journalists on internet platforms to report in environments where media is tightly controlled. In 2017, 18 of the 20 imprisoned journalists were internet journalists.<sup>137</sup>

According to CPJ, the most common charges laid against journalists were 'retaliatory,' meaning criminal charges not directly concerning journalism but believed by human rights groups to be levied in reprisal for critical reporting. In one such case where a well-known independent journalist was found guilty of drug possession, the European Court of Human Rights ruled in 2015 that the state violated Article 6 of the European Convention, which concerns the right to a fair trial.<sup>138</sup>

In addition to these cases, shorter term detentions of journalists and interrogations have been used to pressurize the media. Since April 2015, the Council of Europe has tracked attacks against journalists through its Platform to Promote the Protection of Journalists and Safety of Journalism<sup>139</sup>, and has recorded 40 detentions of journalists in Central and East European states.

Physical violence and harassment encouraged self-censorship throughout Europe. A 2017 survey conducted by the Council of Europe of 940 journalists throughout 47 Member States and Belarus found that 15 per cent of journalists abandon covering sensitive or critical stories, while 31 per cent tone down their coverage, and 23 per cent opt to withhold information. Cyber-bullying has also forced many journalists to limit their use of social media.

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<sup>137</sup> CPJ Imprisoned archives and 2017 database.

<sup>138</sup> Sakit Zahidov v. Azerbaijan - 51164/07 Judgment 12.11.2015 as summarized in Council of Europe Factsheet on Detention and Imprisonment of Journalists 2017.

<sup>139</sup> Council of Europe Platform to Promote the Safety of Journalism and the Protection of Journalists.

The number of journalists who entered into exile since 2012 is lower than most other regions. Between June 2012 and June 2015, the CPJ documented 5 cases of journalists entering exile from East Europe, and none from Southeast Europe.<sup>140</sup> Data for the rest of the period is not available, but media and freedom of expression groups have reported on several other cases of journalists who left their countries permanently or temporarily in response to death threats, attacks, or after the arrest of colleagues. Not all journalists have found safety in exile. One journalist who fled threats due to his reporting on high level corruption in 2014, was reported missing last year while in exile in a neighboring country.<sup>141</sup> Other journalists in exile reported receiving threats to themselves and to their family members.

The use of hate speech surrounding elections in several countries hampered journalists' ability to cover elections, while reporters who exposed the persecution of minority groups were threatened.

## Actions taken to enhance the safety of journalists

States in Central and Southeastern Europe have been active in international forums for promoting the safety of journalists and combatting impunity. Over 80 per cent of the region, or 21 out of 25 states, sponsored at least 1 or more of the 11 resolutions addressing the safety of journalists adopted by UN bodies between 2012 through 2017. 1 state, Estonia, sponsored all 11 resolutions. 19 states sponsored 5 or more resolutions<sup>142</sup>.

5 states in the region joined the 'Group of Friends on the Safety of Journalists', an informal working group of states committed to strengthening the UN Plan of Action on the Safety of Journalists and the Issue of Impunity and its implementation at the national level. Slovenia and Albania participate in the 'Group of Friends' that convenes in Paris; Bulgaria is a member in New York, and Latvia and Lithuania joined both in New York and Paris.

As members of the Council of Europe, 22 states from the Southeast and East European region have supported other safety of journalist initiatives. In 2014, the Council's Committee of Ministers adopted the "Resolution on the protection of journalism and safety of journalists and other media actors".<sup>143</sup> In 2014 the Council also established the Platform to promote the protection of journalism and safety of journalists", in partnership with civil society groups. The platform alerts Council of Europe bodies and institutions of press freedom violations to support coordinated responses and policy measures.

Balkan states have put measures in place to address impunity. In 2013, the Government of Serbia established a Commission for Investigating the Killings of Journalists, which reopened cases of journalists killed in the previous 2 decades, leading to new charges against several suspects.<sup>144</sup> Montenegro set up a similar commission under the Ministry of Interior in 2013.<sup>145</sup>

<sup>140</sup> CPJ data Journalists in Exile 2010-2015.

<sup>141</sup> Ognianova 2017, cites Afgan Mukhtarli, a freelance journalist who fled to Georgia from Azerbaijan. In May 2017, Mukhtarli's wife reported him as missing; in addition, 2 female investigative journalists fled Russia in 2016-2017.

<sup>142</sup> Only four states, Belarus, Russian Federation, Tajikistan and Uzbekistan did not sponsor any.

<sup>143</sup> Decl (30/04/2014)2 2014.

<sup>144</sup> Kilman 2017 and Mendel 2016.

<sup>145</sup> Kilman 2017.





# Appendices

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# Regional Groupings

## WESTERN EUROPE AND NORTH AMERICA (27)

Andorra	Greece	Norway
Austria	Iceland	Portugal
Belgium	Ireland	San Marino
Canada	Israel	Spain
Cyprus	Italy	Sweden
Denmark	Luxembourg	Switzerland
Finland	Malta	Turkey
France	Monaco	United Kingdom of Great Britain and Northern Ireland
Germany	Netherlands	United States of America

## CENTRAL AND EASTERN EUROPE (25)

Albania	Estonia	Republic of Moldova
Armenia	The Former Yugoslav Republic of Macedonia	Romania
Azerbaijan	Georgia	Ukraine
Belarus	Hungary	Uzbekistan
Bosnia and Herzegovina	Latvia	Russian Federation
Bulgaria	Lithuania	Serbia
Croatia	Montenegro	Slovakia
Czech Republic	Poland	Slovenia
		Tajikistan

## LATIN AMERICA AND THE CARIBBEAN (33)

Antigua and Barbuda	Dominican Republic	Paraguay
Argentina	Ecuador	Peru
Bahamas	El Salvador	Saint Kitts and Nevis
Barbados	Grenada	Saint Lucia
Belize	Guatemala	Saint Vincent and the Grenadines
Bolivia (Plurinational State of)	Guyana	Suriname
Brazil	Haiti	Trinidad and Tobago
Chile	Honduras	Uruguay
Colombia	Jamaica	Venezuela (Bolivarian Republic of)
Costa Rica	Mexico	
Cuba	Nicaragua	
Dominica	Panama	

## ASIA AND THE PACIFIC (44)

Afghanistan	Kazakhstan	Timor-Leste
Australia	Kiribati	Malaysia
Bangladesh	Kyrgyzstan	Maldives
Bhutan	Lao People's Democratic	Marshall Islands
Brunei Darussalam	Republic	Micronesia (Federated States of)
Cambodia	Niue	Mongolia
China	Pakistan	Myanmar
Cook Islands	Palau	Nauru
Democratic People's	Papua New Guinea	Nepal
Republic of Korea	Philippines	New Zealand
Fiji	Republic of Korea	Tonga
India	Samoa	Turkmenistan
Indonesia	Singapore	Tuvalu
Iran (Islamic Republic of)	Solomon Islands	Vanuatu
Japan	Sri Lanka	Viet Nam
	Thailand	

## AFRICA (47)

Angola	Ethiopia	Nigeria
Benin	Gabon	Rwanda
Botswana	Gambia	Sao Tome and Principe
Burkina Faso	Ghana	Senegal
Burundi	Guinea	Seychelles
Cameroon	Guinea-Bissau	Sierra Leone
Cape Verde	Kenya	Somalia
Central African Republic	Lesotho	South Africa
Chad	Liberia	South Sudan
Comoros	Madagascar	Swaziland
Congo	Malawi	Togo
Côte d'Ivoire	Mali	Uganda
Democratic Republic of	Mauritius	United Republic of Tanzania
the Congo	Mozambique	Zambia
Djibouti	Namibia	Zimbabwe
Equatorial Guinea	Niger	
Eritrea		

## ARAB REGION (19)

Algeria	Libya	Saudi Arabia
Bahrain	Mauritania	Sudan
Egypt	Morocco	Syrian Arab Republic
Iraq	Oman	Tunisia
Jordan	Palestine	United Arab Emirates
Kuwait	Qatar	Yemen
Lebanon		

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World Trends in

# Freedom of Expression and Media Development

REGIONAL OVERVIEW 2017/2018

## CENTRAL AND EASTERN EUROPE

Across the world, journalism is under fire. While more individuals have access to content than ever before, the combination of political polarization and technological change have facilitated the rapid spread of hate speech, misogyny and unverified 'fake news', often leading to disproportionate restrictions on freedom of expression. In an ever-growing number of countries, journalists face physical and verbal attacks that threaten their ability to report news and information to the public.

In the face of such challenges, this new volume in the World Trends in Freedom of Expression and Media Development series offers a critical analysis of new trends in media freedom, pluralism, independence and the safety of journalists. With a special focus on gender equality in the media, the report provides a global perspective that serves as an essential resource for UNESCO Member States, international organizations, civil society groups, academia and individuals seeking to understand the changing global media landscape.

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Communication and  
Information Sector