

ASSESSMENT of the state of the media sector in Macedonia in relation to the Recommendations of the Senior Experts' Group on systemic Rule of Law issues relating to the communications interception revealed in spring 2015

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Problem analysis

On 8th June 2015 the Senior Experts' Group published its assessment of the democratic crisis in the Republic of Macedonia¹. Uttering that the media is "a key player in a democracy, not only as public watchdog but also as a contributor to pluralism, democratic development and dialogue", it identified several alarming deficiencies in the Macedonian media system which seriously obstruct democratic processes in the country. It specified that there exists "an unhealthy relationship between the mainstream media and top government officials, with the former seemingly taking direct orders from the latter on both basic and fundamental issues of editorial policy". Furthermore, it detailed that both in private media and in the Public Broadcaster "intimidation, absence of good labour conditions for journalists and financial instability for media companies is making them reliant on government advertisement and producing an environment of fear which encourages self-censorship". This practice threatens democratic processes in general and the country's capability to hold free and fair elections in particular, as it "harms the public's right to receive information from a variety of sources and expressing a variety of views, and reduces the scope for objective and balanced reporting of facts²".

This Policy Brief provides succinct evidence in support of the claim that the next elections in Macedonia should not be held until urgent and critical changes are made in the media sector including the de-particisation of the regulatory body (AAVMU); emancipation the Public Service Broadcaster (MRTV) from political pressure; and ensuring greater level of political pluralism in the Private Broadcasters.

¹ Available at: http://ec.europa.eu/enlargement/news_corner/news/news-files/20150619_recommendations_of_the_senior_experts_group.pdf

² Ibid, p. 19.

State of affairs with respect to Senior Experts' Group Report Recommendations

We support this claim using the findings of the qualitative (framing) analysis of media reporting on political actors and events within the MODEM project³. The assessment also rests on the updates of successive media policy research studies in Macedonia⁴. We construct our assessment with respect to each of the Recommendations of the Senior Experts' Group:

- *Media ownership and media financing should be transparent. "Buying" political support from the media through financially supporting media outlets is unacceptable. Stringent rules on government advertising should be enforced.*

Most media in the country on national and regional level (especially the most influential TV stations) are still under direct influence by the Government and VMRO-DPMNE.

2012	6.615.609
2013	7.244.950
First half 2014	3.985.500
Second half 2014	no data
First half 2015	no data
Second half 2015	moratorium

Funding from the budget allocated for public campaigns in the media as published on the Government website⁵. AAVMU halted releasing the official data in mid-2014.

Even though in the middle of the democratic crisis in

³ MODEM available at: <http://respublica.edu.mk/1/modem-info>

⁴ Several studies are available at: <http://mediaobservatory.net/macedonia-0>

⁵ Media Freedom Curbed with Public Money, Available at: <http://mediaobservatory.net/sites/default/files/State-Media%20Financial%20Relations%20in%20Macedonia.pdf>

July 2015 a moratorium on Government's advertising in the private media has been enforced, still this has been understood as a temporary measure to be reversed when the 'patrons come back to power'. More importantly, hidden and non-transparent party funding was left unaddressed both in terms of legislation and in terms of independent financial control, opening space for an unconstrained flow of money from the party to the media. A newly appointed official in the Ministry of Transport published in February 2016 that a total of 2,6 mil euros were transferred to three pro-governmental commercial media in May 2015⁶. The claim that the media finances are not in check can be further supported by looking at the media content during the period since the beginning of the 'Pržino process': two successive reports within the MODEM research project show that the media promotion of Government projects and 'achievements' has been intensified on an unprecedented scale during the months since November 2015⁷.

- *Media should distance themselves from party politics and should not be at the service of politicians and political parties.*

Since September 2015, as soon as the political parties agreed that Macedonia might go forward with early elections in April 2016, provided that certain criteria are met, the propagandistic reporting of the public broadcaster (MTV1, MTV2) as well as the private TV stations with most influence (TV Sitel, TV Kanal 5 and TV Alfa) has been intensified. The MODEM reports on media coverage confirm that since November pro-VMRO media are engaged in an aggressive propaganda campaign⁸.

The TV stations that cover huge portion of the viewing share⁹ invariably covered all promotion activities of the government and of VMRO-DPMNE in a propagandistic fashion: admiring and uncritically favouring the party and/or demonizing the opposition, SDSM as well as all

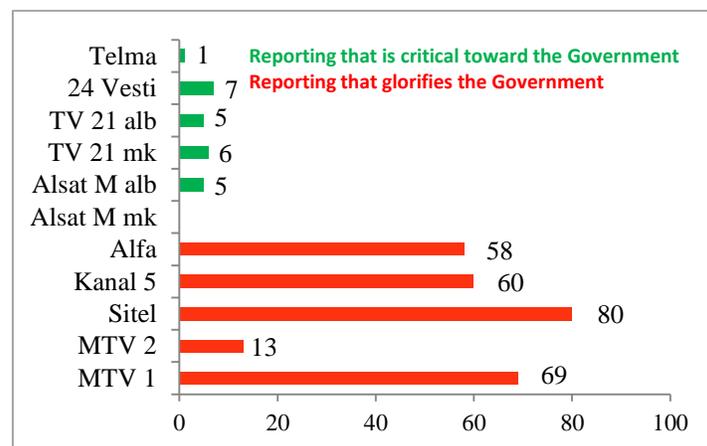
⁶ "Den po Divo Naselje provladinite televizii dobile 2,6 milioni evra, Radio Slobodna Evropa 15th February, Available at: <http://www.makdenes.org/archive/news/20160202/428/428.html?id=27527825>

⁷ MODEM: First Monthly Report, available at: http://respublica.edu.mk/modem/23-18-dekemvri-2015/First-Monthly-report-MODEM-28_12_15%20EN_PDF.pdf

⁸ Ibid.

⁹ See the chart on the next page.

independent organizations and individuals who are critical of VMRO-DPMNE.



Number of TV packages devoted to Government projects and achievements aired on the TV stations at national level in the period from December 19th 2015 – January 29th 2016.¹⁰

This find stands regardless of the fact that in the past months members of the opposition were invited for interviews in the pro-VMRO media. The critical analysis of the interviews suggests that, although invited, the representatives of the opposition parties were subject to smear campaign and harassment.

In addition, evidence from the MODEM framing analysis confirms the existence of editorial convergence between these media outlets. MTV1, TV Sitel, TV Kanal 5 and TV Alfa appear to be editorially influenced by the same source of power: they invariably put the same topics on the daily agenda, they often cite the exact same sources, they frequently use the same wording in the reports and they use identical framing of political actors¹¹.

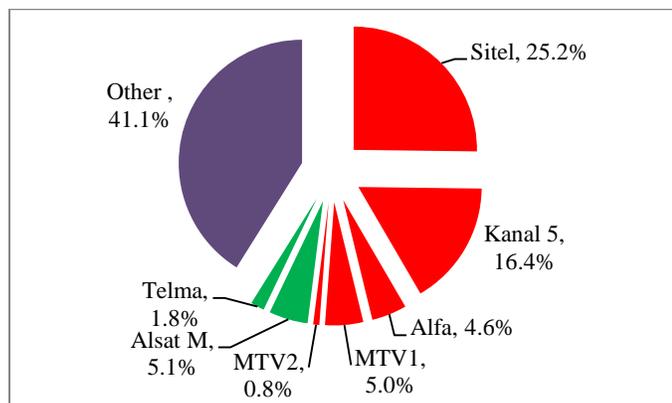
The interpretative frames the pro-governmental TV stations use in their coverage converge with the interpretative frames constructed by VMRO-DPMNE. The same logic of argumentation in the framing of political events and actors is employed. Once constructed by the party, several "frames of interpretation" of the political events and actors are

¹⁰ MODEM Second Monthly Report, available at: http://respublica.edu.mk/modem/19-29-januari/Second-Monthly-report-MODEM_EN.pdf

¹¹ Ibid.

aggressively reproduced in the public sphere¹². One of the rising media narratives in recent weeks has been the alleged ‘criminality’, ‘illegality’ and ‘unpatriotic behaviour’ of the Special Public Prosecutor. Given the fact that the SPP is in charge of the prosecution of criminal offences allegedly committed by high officials coming from the VMRO-DPMNE led government, these media invariably reproduced demonizing frames against SPP in line with the interpretative frames of the party. Also, following Nikola Gruevski’s resignation from office the pro-government media turned their full attention toward him, thus in fact ‘endorsing’ *him* as a prime-minister.

One of the most common discursive tactics of the party aggressively reproduced through the compliant media is to construct a ‘chain of equivalence’ between the actions of critical representatives of the NGO sector, the Special Public Prosecutor’s Office and the opposition party SDSM. These constructions are subsequently used to enable unsubstantiated attacks on all these actors labelling them as ‘criminal’ or ‘traitorous’ for the Macedonian national interests¹³.



The most influential TV stations in terms of audience share in 2014. The category ‘Other’ also includes local and regional TV stations, many of which are pro-governmental.¹⁴

These finds suggest that the most influential TV stations in Macedonia have failed to distance themselves from VMRO-DPMNE. Rather, in the period since November 2015, the respect for political pluralism has deteriorated.

- *The Public Service Broadcaster should strive to be completely impartial and independent from political, commercial and other influences and ideologies and contribute to an informed citizenship.*

The position of the Public Service Broadcaster (the two program services MTV1 and MTV2) has remained unchanged since the political negotiations process started four months ago. By law, the Public Service Broadcaster should lead in providing space for political pluralism and it should be a forum for public debate on all current issues as it is financed by and serves all citizens. In January 2016 the Programme Council of MRTV, supported by the British Broadcasting Corporation and the Macedonian Institute for Media agreed to adopt the Guidelines for "Ethical and professional principles of MRT for media coverage of the electoral processes"¹⁵. Although the Guidelines are intended to cover MRT’s conduct during election campaign, still the principles refer to universal professional standards such as the general principles of impartiality and balance; standards of accuracy and independence from political and economic centers of power. The analysis of the coverage of MRTV in the last month however, shows that there is a metastasis of propagandistic discourses and convergence with the editorial policy of commercial pro-governmental media and with the interpretative framing of VMRO-DPMNE. The Public Service Broadcaster serves the ruling structures rather than the public interest. The Programming Council of MRTV did not take a single step to implement the Principles.

- *All media have to be free from any political pressure without any interference or intimidation. Journalists' labour conditions should be improved in order to reduce self-censorship.*

Successive research has revealed that effective party colonisation of the media enables pressure and even intimidation of journalists¹⁶. More common occurrence though is the soft censorship and self-censorship in what may, with great precision be called ‘culture of podobnost’¹⁷ meaning ‘political’ eligibility of the

¹² Ibid.

¹³ Ibid.

¹⁴ Source: Media Freedom Curbed with Public Money, Available at: <http://mediaobservatory.net/sites/default/files/State-Media%20Financial%20Relations%20in%20Macedonia.pdf>

¹⁵ Available at: <http://mrt.com.mk/node/29490>

¹⁶ Snezana Trpevska and Igor Micevski “Macedonia”, in *Media Integrity Matters*, Available at:

http://mediaobservatory.net/sites/default/files/macedonia_0.pdf

¹⁷ Ibid.

journalists. During the negotiations for the media sector this issue has not been brought forward, so it remains unchanged.

The Agency on Audio and Audio-visual Media Services (the regulatory body) remains silent concerning the fact that the political pluralism is deteriorating in the audio-visual media – thus failing to fulfil its key mission determined by the Law – to promote freedom of expression, to protect and develop pluralism in audio-visual media and to encourage and support diverse, independent and autonomous audio-visual media services¹⁸. This state of affairs is due to extreme politicisation of the regulatory body. The politicisation arrests appropriate reaction event in cases of hate speech: In the past two months numerous instances of discriminatory rhetoric and three instances of explicit hate speech have been detected with no reaction on the part of the Agency in relation to the Law on AAVMS¹⁹.

Proposed Actions

Drawing on these finds, we conclude that the Macedonian public sphere is not a free public sphere and therefore it does not allow for free and fair elections to take place²⁰. The evidence suggests that the media sector has not moved towards greater democratisation, rather in some respects the situation has worsened. Having this in mind we propose the following actions:

- Postponing elections in Macedonia until urgent and critical changes are made in the media sector including the de-politicisation of the regulatory body (AAVMS), emancipation the Public Service Broadcaster (MRTV) from political pressure; and ensuring greater level of political pluralism in the Private Broadcasters.
- Urgent amendments of the Law on AAVMS are needed with changes in the system of appointment

of the members of Agency's Council and changes in the powers and the decision making structure of the regulatory body. These changes should be immediately implemented. Sufficient time should be allowed for strengthening the capacity of the new composition of the Council. Amendments should be debated and agreed with the NGO's, professional organisations and experts.

- Releasing political pressure from the Public Service Broadcaster (MRTV). Appropriate amendments of the Law on AAVMS are necessary in terms of the composition and appointment of the members of the MRT Council and finding a viable solution for MRTV's stable and long-term funding.
- Political pluralism should be protected and guaranteed out of the election period with provisions stipulated in the Law on AAVMS.
- A detailed Action Plan is needed to secure proper implementation of the changes in the Law and other actions. The Action Plan should be debated and agreed among all relevant stakeholders, especially including relevant professional organisations, experts and NGOs.

¹⁸ Article 6 of the Law on Audio and Audiovisual Media Services

¹⁹ See more details in: MODEM First and Second monthly reports and the Weekly Alert 6th – 12th February 2016. Available at: <http://respublica.edu.mk/izvestai-modem>

²⁰ One of the four criteria isolated by Freedom house for a country to be assessed as an electoral democracy is that it has to provide 'Significant public access of major political parties to the electorate through the media and through generally open political campaigning'