



BALKAN MEDIA BAROMETER



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BULGARIA 2014

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Editor: Orlin Spassov
Responsible: Regine Schubert
Rapporteur: Nikoleta Daskalova
Translation: Katerina Popova
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Sofia, 2014

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Introduction






The Balkan Media Barometer (BMB) follows the tradition of the Media Barometers launched by the Friedrich-Ebert-Stiftung (FES) in 2004. The Media Barometers are analytical tools designed to measure the state of media developments in a national context. Such assessments have been undertaken in more than 30 countries in Africa, Asia and Europe.

The Balkan Media Barometer was introduced in 2011. So far, the survey has been conducted in four countries in the region: Bosnia and Herzegovina (2011), Bulgaria (2012), the former Yugoslav Republic of Macedonia (2013) and Albania (2013). Following the methodology, which provides for repeating the study every two or three years, the second edition of the BMB for Bulgaria was carried out in April 2014.

Unlike other media assessment methods, the BMB is a self-assessment exercise based on relevant homegrown criteria. The BMB consists of a set of 44 indicators derived from European standards referenced in European Union and Council of Europe documents.

The methodology is based on an in-depth panel discussion which takes place for two days. The panel usually consists of five or six media professionals and an equal number of civil society representatives. In this way the panel offers both the views of media insiders and of experts detached from the media profession. The discussion combines the reflections of journalists and the perceptions of civil society activists to provide a rich and critical analysis of the media environment. As far as possible, participants are carefully selected to ensure a fair representation of society in its regional (capital – countryside), ethnic, religious and gender diversity. This principle by no means implies compromise with the quality of expertise of participants.

Upon discussing each indicator, panellists allocate their individual scores to that respective indicator on a scale of 1 to 5. If a panellist thinks the country does not meet the indicator, his/her score is minimum 1, and if a panellist finds that all aspects of the indicator are met, the score is maximum 5, according to the following scale:

- 1 Country does not meet Indicator 
- 2 Country meets only a few aspects of Indicator 
- 3 Country meets some aspects of Indicator 
- 4 Country meets most aspects of Indicator 
- 5 Country meets all aspects of Indicator 

The sum of all individual indicator scores is divided by the number of panel members to determine the average score for each indicator. These average indicator scores are added up to form average sector scores which then make up the overall country score.

At the end of the discussions the panel members identify the positive and negative tendencies in the past few years and propose recommendations for media developments. This is a very important part of the whole process since the Media Barometer is designed to be not merely a data collection survey but also an instrument for media reforms. The 2012 BMB report for Bulgaria triggered lively discussions among media professionals, civil society activists, students and experts. The 2014 report will also be used as an instrument for increasing public awareness of the trends and problems in the Bulgarian media sphere and as a practical policy tool to stimulate, as far as possible, positive changes in the national media environment.

The moderation of the panel discussion as well as the editing of the report is done by independent consultants. The FES facilitates the process and guarantees the adherence to the methodology. The content of the discussion and the report is owned by the panellists and does not necessarily represent the view of FES.

Regine Schubert
Director

Friedrich-Ebert-Stiftung
Office Bulgaria

Executive Summary

This report presents the second Balkan Media Barometer (BMB) for Bulgaria, analysing the main developments in the Bulgarian media landscape between 2012 and 2014. Conducting a Media Barometer study for the second time enables the realisation of one of the main objectives of this specific instrument: comparing scores over time in order to identify key trends in the media sphere.

Although the general geopolitical, economic and demographic framework of Bulgaria's development has remained practically unchanged since 2012, when the first BMB was conducted, the period under review saw a number of important domestic political events that had an impact on the work of the media.

In 2012 there were a series of environmental protests whose coverage opened a rift between traditional media and alternative social networks operating online. Many of the major media outlets were criticised for supporting the status quo and for covering the protests in a biased way.

At the beginning of 2013 Bulgaria was shaken by a powerful wave of protests against the high electricity and central heating bills, as well as against the monopoly positions of the electricity distribution companies operating in the country. Eventually, the protests turned against the entire political system. The government of GERB (Citizens for European Development of Bulgaria) resigned, and pre-term parliamentary elections were held in May 2013.

The actions of the new coalition government, of the BSP (Bulgarian Socialist Party) and the DPS (Movement for Rights and Freedoms), quickly gave rise to a second wave of protests in 2013. These protests, which lasted with varying intensity until the end of the year, were sparked by the controversial appointment of Delyan Peevski as chief of Bulgaria's State Agency for National Security (DANS). Although Mr Peevski (a figure with powerful positions in the media business) quickly stepped down, the protesters continued to demand the government's resignation.

The political instability continued in 2014 as well. The BMB panel meeting took place on the eve of the European Parliament elections (held in May 2014) during a very dynamic period which saw renewed protests, strong political confrontation and new calls for early elections in Bulgaria.

Against this background, the Bulgarian media themselves went through a turbulent period. They found it hard to adapt to the rapidly changing events and the growing competition from social networks and citizen journalism.

At the same time, there were changes in the ownership of important media outlets. The digitalisation of broadcasting was completed in September 2013. This, in turn, led to new priorities in the work of the leading television channels. In 2013 a new Code of Professional Ethics of the Bulgarian Media was adopted alongside the existing Code of Ethics created in 2004. The amendments to the Electoral Code, passed in the spring of 2014, introduced important new rules for media coverage of election campaigns.

The Bulgarian media landscape remains well-developed. In 2013 there were 20 national dailies¹ (as compared to 16 in 2012). According to the latest available National Statistical Institute data, a total of 307 newspapers were issued in 2013 (as compared to 345 in 2012).² The number of licensed and registered radio service providers in 2013 was 83 (87 in 2012).³ In 2014, there were 40 radio programme services with a focus on regional content.⁴ The licensed and registered television service providers numbered 103 in 2013 (as compared to 114 in 2012).⁵ In 2014, there were 30 regional television channels and 22 local television channels.⁶ After the analogue switch-off, the number of digitally broadcast terrestrial television programme services was 11 (for comparison, only four television stations held national analogue broadcasting licences).⁷

The television market continues to be dominated by groups owned by Central European Media Enterprises and the Modern Times Group (bTV Media Group and Nova Broadcasting Group, respectively). People in Bulgaria have access to multiple foreign television programme services (via cable or satellite), as well as to a large number of Bulgarian-language editions of international magazines.

The growth in broadband internet penetration is a favourable factor increasing and facilitating access to media content: 53.6% of all households in Bulgaria had broadband connection to the internet in 2013 (as compared to 39.8% in 2011 and 50.8% in 2012).⁸ According to the National Statistical Institute, in 2013 the share of households with broadband internet access was 65.9% in densely-populated areas, 54.4% in intermediate areas, and 40.0% in thinly-populated areas.⁹ Despite the positive trend, however, a large part of the Bulgarians (40.6%) have never used the internet.¹⁰

1 See <<http://www.piero97.com/en/Media-market?map>> (data for 2013).

2 See <<http://www.nsi.bg/en/content/4573/issued-newspapers>>.

3 See <<http://www.nsi.bg/en/content/4621/radio-operators>>.

4 Data for 2014 provided on request by the Council for Electronic Media.

5 See <<http://www.nsi.bg/en/content/4631/tv-operators>>.

6 Data for 2014 provided on request by the Council for Electronic Media.

7 See <<http://www.cem.bg/activitybg/1383>> (data for 2013; in Bulgarian).

8 See <<http://www.nsi.bg/en/content/6101/households-having-broadband-connection-internet>>.

9 Ibid.

10 See <<http://www.nsi.bg/en/content/6119/individuals-who-have-never-used-internet>>.

Despite the comparatively good quantitative dimensions of the Bulgarian media landscape, it continues to be strongly criticised by a number of international and Bulgarian organisations. As in previous years, it is most criticised for the deficit of media freedom due to political and economic dependencies, the lack of sufficient transparency of media ownership, and the shortage of quality media content.

The participants in the second Balkan Media Barometer for Bulgaria discussed in detail all key changes in the media landscape since the first edition of the Barometer. The discussions were structured in accordance with the four thematic sectors of the BMB. Here we will present some of the main highlights.

The first group of problems discussed by the BMB panellists concerns freedom of expression, including freedom of the media, and their effective protection in Bulgaria. Although freedom of expression is deemed to be adequately protected by Bulgarian law, there are significant risks to media freedom. There have been cases of attacks against journalists. Especially alarming was the police violence against journalists and citizens in the summer of 2013, when the anti-government protests reached their peak. In other cases, journalists have been pressed by prosecutors to disclose their sources for investigative reports.

For their part, citizens are often afraid to report irregularities to the media and to reveal their identities on camera or tape. That is because they are afraid of reprisals. This phenomenon is found above all in small towns and villages, but also in large cities. Different forms of economic and political pressure are often used to hinder individual citizens or entire professional communities from freely expressing an opinion in the media, or from participating in strikes and protests.

The ineffective operation of the judicial system, which cannot provide adequate guarantees of citizens' rights, is a major problem in Bulgaria. A new development is the use of media and state institutions to exert pressure against non-governmental organisations. They are often defined by politicians as 'enemies'.

One of the factors conducive to abuse of the freedom of expression is the lack of public sensitivity to such cases. Political discourse itself often promotes the use of insults as the norm in public communication.

There are also significant problems in access to information. Despite the existence of statutory guarantees and public electronic registers, in many cases information is not provided on time. Collecting information is often time-consuming and nerve-wracking. As the relevant databases are not always

updated regularly, the information in them is often inaccurate. This impedes journalistic investigations and can potentially distort the public debate.

Civil society organisations are increasingly raising the issues of media freedom, transparency of ownership, and the quality of the media landscape in Bulgaria. The non-governmental organisations specialised in the media sphere, however, are few in number. Moreover, they are tending to become increasingly professionalised. This significantly increases the distance between them and 'authentic' civil society.

Against the background of these problems, there is an urgent need of training courses aimed at improving the media literacy of citizens.

The average score for Sector 1 is 3.7. In 2012 it was 3.

The second part of the discussions was focused on the diversity, independence and sustainability of the media landscape. The BMB panellists singled out print media distribution as particularly problematic. The principles of market competition in this sphere are endangered. Print media consumption in rural communities is limited. In them print media are difficult-to-access due to poor distribution, while people's financial difficulties act, in turn, as a filter on access to newspapers and magazines. The problem is compounded by the more limited access to the internet in such communities. For many of the major companies, building the necessary infrastructure in remote communities is not profitable.

There is a shortage of official, accurate and transparent information about the Bulgarian media market. Much of the information related to media ownership, shares and circulation rates remains non-transparent, publicly unavailable or missing. Against this background, the Commission for the Protection of Competition cannot ensure adequate regulation of concentration in the media sphere. Media ownership is often not transparent. This makes it impossible to establish the actual extent of horizontal and vertical concentration in the media sectors. There is also concentration in the sphere of advertising.

Against the background of the danger of monopolisation and concentration, the government is still not taking measures to promote a diverse media landscape. The State seems to be more interested in keeping the large and influential media dependent. Encouraging and supporting smaller and less influential media is not a priority of the government. It is no coincidence that the institutional point of view is dominant and alternative positions are rare in many of the leading media outlets.

Hate speech in the media is a growing problem in Bulgaria. This problem escalated especially in the context of the influx of refugees from the war in Syria in the autumn of 2013. The attitude towards the refugees was often very hostile and extremist. Hate speech culminated especially online and in some print media.

The government's role as advertiser remains central. It is within its remit to distribute the funds for promoting EU operational programmes and various public projects. Often the government, and local authorities in particular, continue to use their powers to place advertisements and to award information services contracts for exerting influence on the editorial content of media to their advantage. There are often cases where a media outlet that has received government funding will stop publishing critical opinions about the work of the government ministry or institution that has provided the funding. In the final analysis, more and more media turn out to be subsidized. This usually comes at the price of political dependence.

The average score for Sector 2 is 2.6. In 2012 it was 2.5.

The third group of problems discussed by the BMB panellists concerns broadcasting regulation and the state of the public radio and television broadcasters. Here the panellists pointed out that the idea of introducing a new general media law covering broadcast as well as print and online media, which has been promoted by some in recent years, remains controversial and has not met with consensus from the Bulgarian media community.

The Council for Electronic Media (CEM) would be more efficient and effective if there are guarantees of greater citizen participation in the nomination of members of the Council. The Communications Regulations Commission often tries to transfer responsibilities to the CEM and does not operate sufficiently independently; in most cases, it directly carries out the State's will.

Widespread non-compliance with television programme service licences is also a problem. Programme service licences should be more transparent and available on the website of each television station. The radio market remains poor in terms of programme diversity.

The system of financing public broadcasters continues to keep them potentially dependent upon the political conjunctures. That is why the public media need more adequate protection from political and commercial pressure, as well as more transparency in spending. Public media employees are well-protected by collective agreements but their salaries, especially in regional centres, remain comparatively low.

The role of the public boards (councils) at the Bulgarian National Television (BNT) and the Bulgarian National Radio (BNR) is insufficient. The public boards, insofar as they operate at all, tend to have a decorative presence.

Against the background of the strong competition from other television channels, the BNT has managed to offer the most diverse content. At the same time, however, there is a tendency towards commercialisation of the BNT. Following a purely commercial logic may lead to limitation of the public-service character of the BNT. The BMB panellists recommended avoiding a news focus on the capital city by including more information from different parts of the country. It would also be good to have more news and analyses on all-European issues.

The average score for Sector 3 is 3.1. In 2012 it was 2.9.

In the fourth and last thematic sector, the BMB panellists focused on the state of professional standards in the Bulgarian media. One of the central problems they identified is the parallel existence of two codes of ethics, after the Bulgarian Media Union adopted its own Code of Professional Ethics of the Bulgarian Media in 2013. The appearance of a second, alternative code was an effect of the escalating conflicts between media owners and conglomerates in Bulgaria in the last few years.

The codes of ethics continue to be ineffective and have failed to engage journalists. Disregard of basic professional and ethical standards in the journalistic profession remains widespread. The identity of crime victims is often disclosed, the presumption of innocence is not infrequently disregarded, crimes are regularly covered in a sensationalist manner, and violence and cruelty are not always excluded from media content.

Although they are enshrined in the two codes of ethics, the principles of accuracy and fairness are often not followed according to the prescribed standards. A number of media outlets remain biased, and many (especially regional media) are also politically dependent. These dependencies become especially obvious during election campaigns. Publication of paid content without labelling it as such is also commonplace during election campaigns.

The main deficiencies in media content are related to insufficient in-depth coverage of international news and economic topics, emotional coverage of important social issues (instead of focusing on the causes of problems), and shortage of quality investigative journalism. One of the main reasons for those deficiencies is the narrow market orientation of media companies.

Self-censorship continues to be a common practice among journalists in Bulgaria. It is encouraged by various means, including external pressure in the form of phone calls, threatening letters from corporations and advertisers about concrete publications, criticism from the editors, and so on. For their part, media owners continue to often interfere with editorial content.

Many media houses do not undertake to protect their journalists. Journalists are increasingly offered contracts for services instead of full-time employment contracts, and little if any social benefits. Ultimately, a large part of the journalists in Bulgaria are compelled to work more for less and less pay. This state of affairs is also partially due to the faculties of journalism, which produce too many journalism graduates for a shrinking market. A number of tabloids offer higher salaries than the serious media.

The Bulgarian journalistic community is not well-organised – unlike the media owners who are aware of their common interest and who have established powerful organisations actively defending their positions. Insofar as it exists at all, professional and trade union protection of journalists is inadequate. Journalists' trade union organisations are active above all in the public media. Among the reasons for the absence of journalistic solidarity is the absence of enough points of intersection between the interests of journalists in Sofia-based media and in media in the rest of the country.

The average score for Sector 4 is 2.1. In 2012 it was 2.2.

The BMB average score for Bulgaria in 2014 is 2.9. Assessing the state of the Bulgarian media landscape in 2012, the BMB panellists awarded it an average score of 2.7. The difference of two-tenths of a point is too small to allow one to claim that there are positive trends. It is quite likely that the change is within the 'statistical margin of error'.

During the panel meeting itself, the civil society activists and the journalists on the panel were often deeply divided and engaged in lively disputes over the state of the Bulgarian media landscape and the role of the journalistic community for its improvement. As members of the panels of both the 2012 and 2014 BMB for Bulgaria pointed out, there was no such division in the discussions of the 2012 Media Barometer where, according to them, opinions were not so polarised and there was considerably greater consensus both on the main problems and on their possible solutions. At the same time, it is precisely the disputes and the lively discussions which are the best guarantee of the plurality of viewpoints represented by the BMB.

The panellists also pointed out some important positive developments. Among them is the growth of alternative sources of information online.

The importance of blogs, independent news sites and Facebook as sources of information has increased dramatically in the last few years. This has also increased their role in public opinion formation in Bulgaria. The BNT and BNR have kept their relatively good positions and contribute significantly to media pluralism in the country. The major television stations with national coverage have become more critical towards the people in power. The BMB panellists also noted the stronger interest of the Bulgarian NGO community and of key European institutions in the problems of media in Bulgaria. Those positive developments enabled the BMB panellists to outline the most important steps for further improving the media landscape in Bulgaria. Among them is fine-tuning the media legislation, creating an effective system for auditing circulation rates, and developing adequate measures guaranteeing greater transparency of media ownership.

SECTOR 1:

**Freedom of expression, including
freedom of the media, is effectively
protected and promoted**

Freedom of expression, including freedom of the media, is effectively protected and promoted

1.1. Freedom of expression, including freedom of the media, is guaranteed in the constitution and supported by other pieces of legislation.

Freedom of expression of opinion and freedom of the media are directly regulated by the Constitution of the Republic of Bulgaria (Articles 39-41). These constitutional principles have remained unchanged in the last few years:

Article 39

(1) Everyone shall be entitled to express an opinion or to publicise it through words, written or oral, sound or image, or in any other way.

(2) This right shall not be used to the detriment of the rights and reputation of others, or for the incitement of a forcible change of the constitutionally established order, the perpetration of a crime, or the incitement of enmity or violence against anyone.

Article 40

(1) The press and the other mass information media shall be free and shall not be subjected to censorship.

(2) An injunction on or a confiscation of printed matter or another information medium shall be allowed only through an act of the judicial authorities in the case of an encroachment on public decency or incitement of a forcible change of the constitutionally established order, the perpetration of a crime, or the incitement of violence against anyone. An injunction suspension shall lose force if not followed by a confiscation within 24 hours.

Article 41

(1) Everyone shall be entitled to seek, obtain and disseminate information. This right shall not be exercised to the detriment of the rights and reputation of others, or to the detriment of national security, public order, public health and morality.

1.2 The right to freedom of expression is practised and citizens, including journalists, are asserting their rights without fear.

In the last two years there have been several cases of attacks against journalists in Bulgaria. In the summer of 2013, a flagrant case of police violence against journalists and citizens caused alarm and sharp reactions from local and international watchdog organisations. On the night of 23/24 July, the most dramatic moment of months-long protests against the government, at least seven journalists, one blogger and a number of other citizens were attacked by police.¹¹ In another instance of aggression against journalists, in September 2013 the car of bTV journalist Genka Shikerova was set on fire. Ms Shikerova became the victim of a car arson attack for the second time in April 2014.¹²

Another example of pressure against journalists was the summoning of Boris Mitov, who works for the news site Mediapool.bg, by the Prosecution Office. In April 2013 Mr Mitov was summoned twice by the Sofia City Prosecution Office and pressed to disclose his sources for an investigative report into suspected wrongdoing by prosecutors.¹³ The case of Ivan Bedrov and Emmy Barouh, two freelance contributors to the Bulgarian service of Deutsche Welle, was also a specific form of pressure against journalists. Mr Bedrov and Ms Barouh were suspended after Deutsche Welle received a letter from Corporate Commercial Bank (CCB) accusing them of biased coverage of CCB President Tsvetan Vasilev.¹⁴ After sharp reactions from journalists and civil society organisations, Deutsche Welle revised its position.

There were also instances of pressure threatening the freedom of expression of citizens who are not journalists. A case in point was the statement

11 The police violence was condemned by international organisations such as Reporters Without Borders and Human Rights Watch. See: Reporters Without Borders (26 July 2013). Police attack journalists covering protest outside parliament. Available at: <<http://en.rsf.org/bulgarie-police-attack-journalists-covering-26-07-2013,44980.html>>; Human Rights Watch (25 July 2013). Bulgaria: Investigate Police Violence at Protest. Available at: <<http://www.hrw.org/news/2013/07/25/bulgaria-investigate-police-violence-protest>> [both accessed 15 April 2014].

12 See bTV (2 April 2014). Vtori palezh na kola na zhurnalista Genka Shikerova [Second Arson Attack on Car of Journalist Genka Shikerova]. Available at: <<http://btvnews.bg/gallery/kriminalno/vtori-palezha-na-kola-na-zhurnalista-genka-shikerova.html>> [accessed 15 April 2014].

13 See, e.g., Bulgarian National Radio (8 April 2013). Protest sapatstva poredniya razpit na zhurnalista Boris Mitov [Protest Demonstration over Successive Interrogation of Journalist Boris Mitov]. Available at: <<http://bnr.bg/post/100060201/protest-sypytstva-poredniya-razpit-na-jurnalista-boris-mitov>> [accessed 15 April 2014].

14 See, e.g., Dnevnik (20 September 2013). "Doyche Vele" potvardi osvoboždavaneto na Ivan Bedrov i Emi Baruh, shte tarsi pozitsiyata na Tsvetan Vasilev [Deutsche Welle Confirms Dismissal of Ivan Bedrov and Emmy Barouh, Will Seek Tsvetan Vasilev's Position]. Available at: <http://www.dnevnik.bg/bulgaria/2013/09/20/2145546_doyche_vele_potvurdi_osvobojdavaneto_na_ivan_bedrov_i> [accessed 15 April 2014].

of Prime Minister Plamen Oresharski, who said in November 2013 that civil servants who joined the anti-government protests would be fired.¹⁵

In addition, journalists on the panel pointed out that citizens are often willing to report irregularities to the media anonymously but are afraid to reveal their identities on camera or tape; or they subsequently withdraw their reports. The motive is usually fear of reprisals – above all in small towns and villages, but also in large cities. Economic and political pressure are also a tool for hindering individual citizens or entire professional communities from freely expressing an opinion, participating in strikes, protests, and so on.

‘There has always been fear in Bulgarian society’ and ‘the ineffective judicial system does not provide real guarantees of rights,’¹⁶ the panellists said, summing up the discussion, but went on to conclude that the situation covered by this Indicator has not worsened in the last two years. However, they found that there are new forms of intimidation, and gave as an example the use of media and institutions to exert pressure against non-governmental organisations. ‘For the first time, civil society organisations are being defined as para-political organisations and pointed out as enemies by media and politicians,’ noted one of the civil society activists on the panel. The media are being used as ‘baseball bats’¹⁷ and as an instrument for discrediting inconvenient citizens and organisations. As a result of such attacks, citizens ‘are beginning to give up on joining events and signing declarations.’ ‘The pressure against the non-governmental sector atomises the environment and this is a dangerous trend,’ the panel members declared.

Another new phenomenon is the simulated expression of opinion and presentation of partisan interests as a civic position. This phenomenon appeared in the course of the so-called counter-protests staged in response to the mass anti-government protests in the summer of 2013. ‘The stage-managed expression of civic opinion perverted the freedom of expression,’ one of the journalists on the panel concluded.

15 See Dnevnik (15 November 2013). Oresharski: Shte osvobodhdavame darzhavni sluzhiteli, uchastvashti v protestite sreshthu kabineta [Oresharski: We’ll Dismiss Civil Servants Taking Part in Anti-Government Protests]. Available at: <http://www.dnevnik.bg/bulgaria/2013/11/15/2183115_oreharski_shte_osvobodhdavame_durjavni_slujiteli/> [accessed 15 April 2014].

16 Unless otherwise indicated, all quotes in this report are from BMB panellists.

17 Baseball bats were the symbol of organised criminal extortion in Bulgaria in the 1990s.

Scores:

Individual scores:



Average score:

2 (2012: 2)

1.3 There are no laws or parts of laws restricting freedom of expression such as excessive official secrets or libel acts, or laws that unreasonably interfere with the responsibilities of media.

Under Bulgarian law, there are restrictions on freedom of expression in cases of insult, defamation, hate speech, discriminatory speech, and classified information. The legislation regulating these matters has remained unchanged in the last two years.

Punishments for insult and defamation are regulated by the Penal Code. The penalties are fines: from BGN 1000 (EUR 511) to BGN 3000 (EUR 1534) for insult (Article 146); from BGN 3000 (EUR 1534) to BGN 7000 (EUR 3579) and public censure for defamation (Article 147). The fines for insult and defamation committed in public or through printed matter are higher: up to BGN 10 000 (EUR 5113) for insult and up to BGN 15 000 (EUR 7669) for defamation (Article 148).

Hate speech is also criminalised in Bulgaria. Propagation of or incitement to discrimination, violence or hatred on the grounds of race, nationality or ethnic origin, is punishable by imprisonment from one to four years and by a fine from BGN 5000 (EUR 2556) to BGN 10 000 (EUR 5113) as well as by public censure (Article 162 [1] of the Penal Code).

The Protection Against Discrimination Act prohibits any direct or indirect discrimination on the grounds of gender, race, nationality, ethnicity, human genome, citizenship, origin, religion or faith, education, beliefs, political affiliation, personal or social status, disability, age, sexual orientation, marital status, property status or any other indications established by law or in an international treaty to which the Republic of Bulgaria is a party (Article 4).

1.4 Government makes every effort to honour regional and international instruments on freedom of expression and freedom of the media.

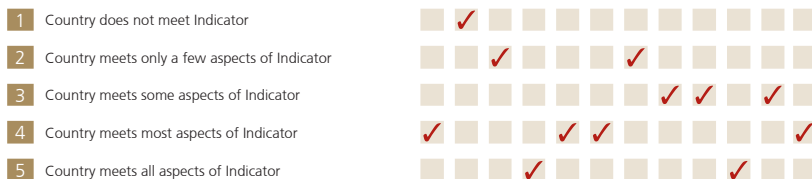
In the last two years Bulgaria has had three different governments (including one caretaker government). Opinions over their attitude towards the problems of media freedom and towards implementation of regional and international instruments are divided.

Some of the panellists argued that there is a significant difference in the attitude towards the media between the government of GERB (Citizens for European Development of Bulgaria; in office from 2009 to the beginning of 2013), and the government of the BSP (Bulgarian Socialist Party) supported by the DPS (Movement for Rights and Freedoms; this government was in power after May 2013). 'The media are a non-issue for the present government; it is doing nothing about them. While the approach of the previous government was different – it "took great care" of the media,' a panel member said, describing the shift from excessive interference to indifference. 'Whether this indifference is good or bad is a moot point,' another panel member noted. Others were of the opposite opinion, arguing that the authorities are continuing to seriously interfere with the media: 'I totally disagree that the present government is doing nothing – it is directing the media in a very subtle way along party lines,' declared one of the journalists on the panel.

One of the issues on which the authorities could be more active is the regulation of media ownership. 'Media ownership should not be a matter of national legislation only; it should be harmonised with European practices and regulations,' one of the media professionals insisted.

Scores:

Individual scores:



Average score:

3.3 (2012: 1.6)

1.8 Public information is easily accessible, guaranteed by law, to all citizens.

The statutory framework regulating access to public information in Bulgaria has remained unchanged in the last two years. According to Article 41 (2) of the Constitution, everyone is entitled to obtain information from state bodies and agencies on any matter of legitimate interest to them which is not a state or official secret and does not affect the rights of others. In addition, access to public information is regulated in detail by a special law, the Access to Public Information Act (APIA).

The APIA is used as a main instrument in preparing investigative reports both by journalists and by civil society activists. In practice, however, there are still difficulties in obtaining access to public information. Despite the legal guarantees and the existence of electronic registers, information is often practically inaccessible. 'It takes a lot of effort on the part of those looking for information. In any case, the State is the stronger party. This has not changed. It is good that there are organisations which are suing the State and trying to impose standards in this way,' said one of the representatives of the non-governmental sector.

A main problem is access to publicly significant information about publicly-funded projects. 'We conducted a referendum on the construction of the Belene Nuclear Power Plant, but we lacked crucial information. There is also a lack of sufficient information about the South Stream project. There are public registers but it is not entirely clear how, and on what basis, they are updated. Very often, the information available is not accurate – for example, basic information about the incomes of the population – and this distorts the public debate,' one of the panellists pointed out.

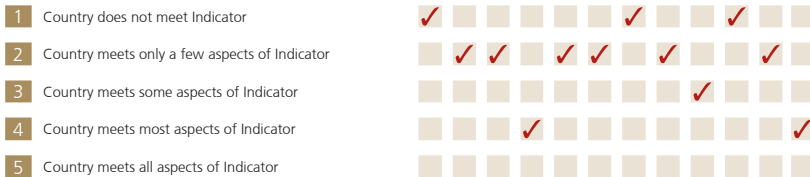
Among the concrete difficulties in access to information is the fact that part of the Commercial Register can be accessed only by way of an electronic signature.

According to the statistics published on the website of the Access to Information Programme Foundation, in the period between the enforcement of the APIA in 2000 and April 2014, lawyers of the foundation helped file more than 290 lawsuits over violations of the Act.¹⁸

¹⁸ See <<http://www.aip-bg.org/en/cases/Litigation/107289/>> [accessed 15 April 2014]. For comparison, according to the same source 190 lawsuits were filed until April 2012.

Scores:

Individual scores:



Average score: **2.2 (2012: 1.9)**

1.9 Websites and blogs are not required to register with or obtain permission from state authorities.

There are no special registration or licensing regulations for websites and blogs in Bulgaria.

According to part of the panel members, it would be good to have more serious regulations for websites, especially regarding their ownership. This would make the online environment more transparent.

Scores:

Individual scores:



Average score: **4.9 (2012: 5)**

1.10 The State does not seek to block or filter internet content unless laws provide for restrictions that serve a legitimate interest and are necessary in a democratic society.

Blocking or filtering of internet content by the State is a rare practice in Bulgaria. Over the years there have been only several more serious attempts at restricting access to online content, and all of them met with sharp reactions from internet users and civil society organisations. As a whole, Bulgaria ranks well in terms of internet freedom.

One of the emblematic zones in Bulgarian cyberspace are the torrent sites where users can download and upload content, including copyrighted material, for free. 'Since 2005–2006 the Bulgarian torrent sites have periodically been subjected to made-to-order attacks. Recently, however, such cases are increasingly rare – obviously, there are no orders. The State and the stakeholders concerned have realised that if they shut down the Bulgarian sites users will automatically turn to global torrent sites such as The Pirate Bay.' Online media which advertise on torrent sites and thus generate huge traffic to their own websites also have a stake in keeping free access to torrent platforms.

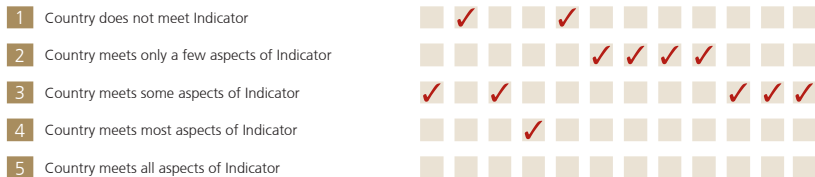
In 2013 the State Commission on Gambling stirred up controversy when it blocked online betting sites because of a change in licensing requirements. 'The purpose was to crush major international bookmakers which were rivals of a local player.' Some of the prohibitions on access proved ineffective because they were circumvented by operators and users. The licensing requirements were subsequently revised.

'To enforce censorship on the internet, state institutions need to have a capacity they largely lack, and this allows freedom,' one of the panellists concluded ironically.

According to some of the panel members, there are cases of institutional inaction where the State does not intervene despite expectations that it will do so. For instance, 'active anti-fascist/anti-racist groups claim that they have repeatedly reported websites that disseminate racist appeals, swastikas, lectures and books with fascist ideology. The institutions have not reacted to those reports.'

Scores:

Individual scores:



Average score:

2.4 (2012: 1.5)

1.12 Media legislation evolves from meaningful consultations among state institutions, citizens and interest groups.

In the last two years there have been no intense debates between state institutions and civil society organisations on issues related to the improvement of Bulgarian media legislation. Two initiatives are noteworthy.

In November 2013 President Rosen Plevneliev organised a discussion with citizens on the subject, 'What Future for the Media?'. The meeting confirmed the familiar problems in the Bulgarian media sphere but did not lead to initiation of legislative measures. 'It became clear at this meeting that the media community is not prepared, that it is inert and does not have a proactive position.' The Bulgarian media community is also not inclined to take unified action: 'There are some media that do not want to stand side by side with other media.'

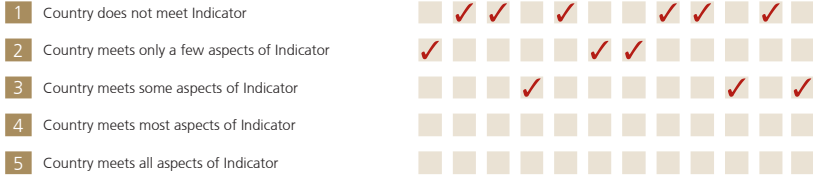
In March 2014 the government of the ruling parties, the BSP and the DPS, invited media owners and editors-in-chief to a public discussion. The government representatives called on the media to take the initiative on legislation and draft a new media law that would subsequently be adopted by parliament. The meeting, widely seen as 'nothing more than spin,' drew sharp criticism and did not lead to the initiation of legislation.

The lack of public trust in state institutions makes it impossible to conduct a constructive debate: 'When there are no publicly recognised institutions, when there is no trust in institutions, quality dialogue is impossible,' a member of the panel noted. At the same time, some civil society organisations have proposed concrete statutory amendments. One of the important issues

that can unite journalists and civil society organisations for joint action is the elaboration of measures to improve transparency of media ownership.

Scores:

Individual scores:



Average score: **1.8 (2012: 1.9)**

Average score for Sector 1: **3.7 (2012: 3)**

SECTOR 2:

The media landscape, including new media, is characterised by diversity, independence and sustainability

The media landscape, including new media, is characterised by diversity, independence and sustainability

2.1 A wide range of sources of information (print, broadcasting, internet, mobile phones) is accessible and affordable to citizens.

According to the latest annual data published by the National Statistical Institute, a total of 354 newspapers (including 57 daily newspapers) are issued, and 87 radio service providers and 114 television service providers are registered in Bulgaria.²⁰ A total of 53.7% of all households in Bulgaria have internet access at home.²¹ The penetration rate of mobile services is consistently high, at more than 140%, and mobile internet access is gradually increasing.

As the best-developing media sectors are television and the internet, they are the most popular sources of information. In practice, just 1-2% of all households in Bulgaria do not have access to television, and approximately 80% have access to pay television. The quality of internet connection is very good, and the fees for internet access and pay television are affordable for the majority of the population.

The digitalisation of terrestrial radio and television broadcasting in Bulgaria was completed in September 2013. Initially there were problems with access to free TV content in some places in the country. The switch from analogue to digital broadcasting left 393 villages without television. In compensation, the government granted a subsidy of BGN 600 000 (EUR 306 775) to 84 municipalities in order to provide access to television to the households that did not have digital reception.

Access to media is problematic in rural communities. In them print media are often unavailable and/or unaffordable. In villages usually 'one person buys a newspaper for the whole neighbourhood.' As a whole, people prefer cheaper print media. Internet access is also more limited in rural communities because the major companies cannot make a profit from building the necessary infrastructure. 'The State must interfere in order to improve internet access in such communities,' the panellists insisted.

20 Data for 2012, available at <<http://www.nsi.bg/en/content/4577/issued-newspapers-periodicity>>, <<http://www.nsi.bg/en/content/4621/radio-operators>>, <<http://www.nsi.bg/en/content/4631/tv-operators>> [accessed 15 April 2014]. The data for 2013 had not been published yet at the time of the discussion.

21 National Statistical Institute data for 2013, available at <<http://www.nsi.bg/en/content/6099/households-who-have-internet-access-home>> [accessed 15 April 2014].

A key factor aggravating this problem in the last year was the meteoric rise of the Lafka project. Lafka moved aggressively into the market as a chain of kiosks selling newspapers, magazines, cigarettes, confectionery, and other items. The retail chain installed its kiosks at key locations in towns and cities across Bulgaria after winning a number of municipal tenders. There are serious concerns among citizens and retailers that Lafka is acquiring monopoly positions on the print media distribution market with the support of state and municipal authorities. 'In Southwestern Bulgaria, for example, Lafka passed unproblematically through all municipal decisions,' a panellist pointed out.

The Lafka project has attracted strong criticism because of other important factors, too: lack of transparency regarding the real owner of the chain; suspicions of concentration of distributors' and publishers' interests, which discriminates against rival media; securing some advantages for the print media distribution chain by charging preliminary fees from publishers.

Against this background, the scope of circulation of print media in rural communities remains limited. It is not regulated by state policy and depends on the individual marketing efforts of print media. During elections, political parties (the BSP, DPS, Ataka, the Unified People's Party, the Democrats for a Strong Bulgaria-Bulgarian Democratic Forum coalition, and others) take special action to ensure the distribution of their newspapers for campaign purposes.

Scores:

Individual scores:



Average score: 1.2 (2012: 1.7)

2.4 The editorial independence of print media published by a public authority is protected adequately against undue political interference.

This Indicator does not apply as there are no state-owned print media in Bulgaria.

2.5 Adequate competition legislation/regulation seeks to prevent media concentration and monopolies.

Media concentration and monopolies are not the subject of special regulation in Bulgaria. Competition in the media sphere is regulated as any other commercial activity. The Protection of Competition Act does not provide for a special legal definition of the terms ‘media concentration’, ‘media pluralism’, and ‘media monopoly’. The body responsible for implementation of the legal provisions on competition is the Commission for the Protection of Competition (CPC).

The CPC has failed to ensure adequate regulation of concentration in the media sphere. The reasons for that lie in the flaws in the legislation as well as in the shortage of official, accurate and transparent information about the media market – about ownership, shares, circulation rates, and so on. ‘If you read some of the CPC’s latest reports on media issues, you will see how comic they are. They are written in a very unprofessional way, which is an insult to the media community. On the other hand, many media outlets themselves do not respond to the CPC’s requests for information. The Commission has never found a case of monopoly, even if the media actors say there is such.’ The CPC ‘has always been politically bound and dependent’ and its Chairperson ‘does not have a good reputation,’ members of the panel noted.

The shortage of information and lack of effective instruments for monitoring media concentration thresholds do not allow investigation into the possible existence of monopoly or oligopoly positions on the Bulgarian media market. Actual media ownership is often not transparent as it is hidden behind third parties or offshore companies. This makes it impossible to trace horizontal and vertical concentration in the media sectors. ‘There are media outlets the identity of whose owners and puppet masters cannot be official proven. Ownership changes, influence is played with, but the real owner remains hidden.’ In addition, ‘there are media outlets that do not generate sufficient market revenues and it is not clear where the money for their support comes from.’ ‘The available market data show that there is not a single monopolist, there are two or three leading players in the separate sectors; concentration is found not in some media outlet but in media conglomerates,’ said a panellist well-versed in media market and audience surveys.

The lack of effective legal measures restricting concentration allows the latter to develop in almost all media segments as well as in advertising. ‘There has long been a monopoly on the advertising market, but nobody cares.’ The status quo can be affected only by the internal shifts of ownership of media outlets and advertising agencies as well as by a change in the audience measurement system.

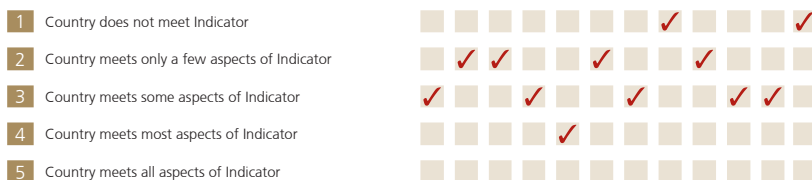
Advertising is often used as an instrument for strengthening the positions of a particular media conglomerate. One such practice involves offering advertising as a bundle package simultaneously in several print and/or broadcast media outlets. Unfair competition is not an exception.

In the last two years media companies have become increasingly interested in the internet. There is growing concentration of online media ownership. ‘Before, it was assumed that the internet is a freer territory. Now, owners change and more and more online media outlets are beginning to sing in chorus.’

In conclusion, the panellists pointed out the need for a revision of the legal regulation and for an effective register of the ownership of all media, as well as for stronger public reaction against the processes of media concentration.

Scores:

Individual scores:



Average score: **2.4 (2012: 1.4)**

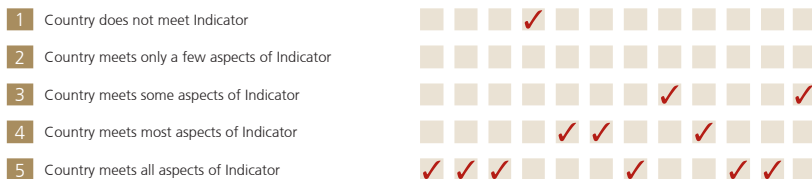
2.6 Government promotes a diverse media landscape with economically sustainable and independent media outlets.

There has been no progress on this Indicator in the last two years. The government is not taking measures to promote a diverse media landscape. ‘The State is rather trying to keep the media dependent’ and it is interested above all in the large and influential media companies. Supporting small media companies is not an objective of the government.

One of the possible instruments for promoting an economically sustainable media landscape is reduction of the Value Added Tax on print media. ‘The State has a hard-line policy in this respect and VAT will not be cut,’ the panelists said sceptically.

Scores:

Individual scores:



Average score:

4.1 (2012: 4.2)

2.8 All media fairly reflect the voices of society in its ethnic, linguistic, religious, political and social diversity.

According to the standards adopted in the Bulgarian codes of ethics, the media undertake not to publish items inciting or promoting hatred, violence or any form of discrimination, as well as not to indicate a person’s race, ethnic identity, skin colour, religion, gender, sexual orientation, and mental or physical condition if those facts are not substantially relevant to the story (Code of Ethics of the Bulgarian Media, elaborated in 2004; Code of Professional Ethics of the Bulgarian Media, elaborated in 2013). Although such standards exist on paper, a large part of the media do not comply with the undertaken commitments.

One of the specific problems in this respect in the last two years is related to hate speech in the Bulgarian media. According to a public opinion survey on public attitudes towards hate speech in Bulgaria, conducted by the Open Society Institute – Sofia in July 2013, the most frequent users of hate speech are politicians (67.9% of the respondents are of that opinion) and journalists (32.4% of the respondents think so), hate speech is targeted mostly at Roma (91%), followed by ethnic Turks (58%) and gay people (38%), and public statements expressing disapproval, hatred or aggression against minorities are most often heard on television (74.8%).²²

In the autumn of 2013 the problem of public expression of hate escalated in the context of the influx of refugees fleeing from the war in Syria. The at-

22 See Open Society Institute – Sofia (2013). Public Attitudes Towards Hate Speech in Bulgaria. Available at: <[40](http://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=2&ved=0CCgQFjAB&url=http%3A%2F%2Fwww.eeagrants.org%2Fcontent%2Fdownload%2F8198%2F99126%2Fversion%2F1%2Ffile%2F131128Hate_speech_report_ENG_interactive.pdf&ei=-zz3U5P8A82Y1AXe54GwCA&usq=AFQjCNGQlqcb2SK1bo45zj82R5OYG8y6A&bvm=bv.73373277,d.d2k> [accessed 15 April 2014].</p>
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titude towards the Syrian refugees is very often strongly negative. The media have proved to be an important factor for the proliferation of hate speech, which is found above all on the internet and in some print media outlets. According to some of the panellists, hate speech in Bulgarian media 'is now commonplace', according to others it is latent and escalates only occasionally, while according to still others the discourse on the Syrian refugees is, on the whole, balanced, because 'at some point good prevailed through the media campaigns for charity for refugees.'

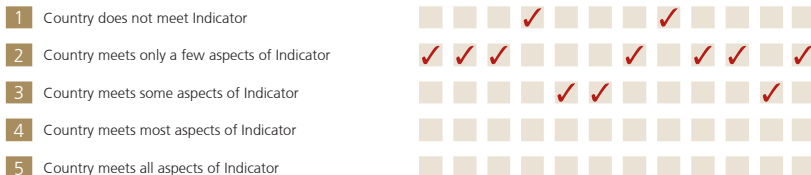
Regarding the overall level of pluralism in the Bulgarian media, part of the panellists said they did not see an extremely negative tendency because 'there are more and more channels giving voice to groups that cannot make their way into the mainstream media.'

In the last year, there has been a significant change in the statutory framework on media representation of political diversity. The new Electoral Code, adopted in the spring of 2014, has introduced some new rules on election campaign coverage, including: media packages of BGN 40 000 (EUR 20 452) provided for media participation to parties and coalitions which are not entitled to a state subsidy; free-of-charge spots and addresses on the public broadcasting services at the beginning and end of election campaigns; increased duration of debates on the Bulgarian National Radio and Bulgarian National Television. This regulatory framework is seen as 'a major improvement, very close to the best standards of conducting election campaigns through media.'

'But during the rest of the time [apart from official election campaigns] the voices of small parties and non-governmental organisations are not heard. We have sent proposals and opinions to many media outlets, but our theses are not heard,' said civil society activists on the panel. In the leading media outlets, the institutional point of view predominates and alternative positions are rare. 'Non-governmental organisations are regarded as corporations – the media do not announce their names because this may sound like advertising. This marginalises them,' the panellists critically pointed out.

Scores:

Individual scores:



Average score:

2.1 (2012: 2.4)

2.9 The country has a coherent ICT policy or the government implements promotional measures, which aim to meet the information needs of all citizens, including marginalised communities.

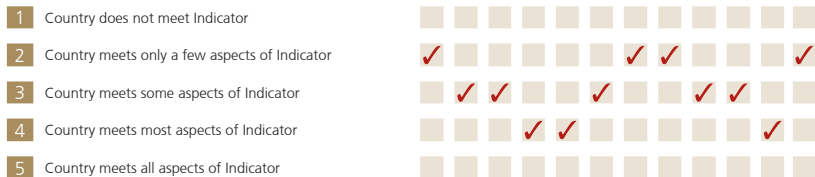
When it comes to using and looking for information, the Bulgarian population as a whole has limited habits. For example, the majority of young people use primarily the internet and do not feel a need to follow alternative points of view, looking only for those which coincide with their own. For their part, the majority of ethnic Turks watch mostly Turkish television. Another factor that further strengthens the deep-seated habits in using information is the fact that almost 2 300 000 Bulgarian citizens have never used the internet.²³

Against this background, the State is not a significant factor in expanding the information needs of citizens. The role of the market and of the media companies themselves is more important in this respect. Audience needs are researched by the major media companies. The State does not make qualitative needs assessments and does not take effective promotional measures. 'But then, it does not stop' media companies from doing so, part of the panellists agreed. According to others, the State must interfere in order to increase internet access in rural communities.

23 National Statistical Institute data on internet access for 2013, available at: <<http://www.nsi.bg/en/content/6119/individuals-who-have-never-used-internet>> [accessed 15 April 2014].

Scores:

Individual scores:



Average score:

2.9 (2012: 2.2)

2.10 Government does not use its power over the placement of advertisements as a means to interfere with editorial content.

The State continues to be the key player on the Bulgarian advertising market. The role of the government as advertiser includes distribution of funds for promoting EU operational programmes and various public projects. The largest-scale advertising initiative of the State in the last year involved the public awareness-raising campaign regarding the digitalisation of terrestrial radio and television broadcasting.

In the 2007–2013 period, the government distributed funds for promoting EU operational programmes as follows: more than BGN 19 million (approximately EUR 10 million) for television content, more than BGN 10 million (approximately EUR 5 million) for radio advertisements, more than BGN 7 million (approximately EUR 3.5 million) for advertisements in the press, and more than BGN 800 000 (approximately EUR 400 000) for internet advertisements.

The government and local authorities use their position as advertiser to influence the media's editorial content. The pressure on regional media is especially strong – by way of their information service contracts with local media, municipal authorities easily assure themselves uncritical coverage. Local newspapers often plan their editorial policies with a view to being convenient for the authorities: 'they keep a low profile and expect to get money under some of the European programmes.' This also holds for major national print media which get funding from government ministries under such programmes. In many cases a media outlet that has received such funding will stop publishing critical opinions about the work of the respective government ministry.

2.11 The advertising market is large enough to support a diversity of media outlets.

The effects of the global economic crisis and the collapse of the advertising market in 2008–2009 are still being felt by Bulgarian media. In the last few years there has been a constant decline in aggregate net expenditure on advertising. Budgets for PR services through media are also shrinking.

In the context of the overall crisis, online advertising was tending to grow in the last few years, but in 2013 it declined as businesses realised that ‘the internet is a state-of-the-art but ineffective channel’ for advertising in Bulgaria. In the last four years radio advertising has slumped by almost a half, while gross advertising budgets in the press have declined by about 12%. Television advertising has seen a growth in gross investments in the last few years, but in practice TV advertising rates have dropped significantly: ‘It has never been cheaper to advertise on television than it is at present. Let us take, for example, the food retail chains – before they used to advertise in the press, but now they are a permanent advertiser on television.’ With almost 80% of all advertising budgets being spent on television, the rest of the media have to fight for the remaining 20%.

The real value of the Bulgarian advertising market is difficult to estimate because the advertising budgets, calculated on the basis of official data, are inflated. ‘Those are hollow figures, the official rates have little if at all to do with what happens in practice.’ Discounts, barter deals and arrangements between media and advertisers outside the official rates significantly lower real advertising revenues.

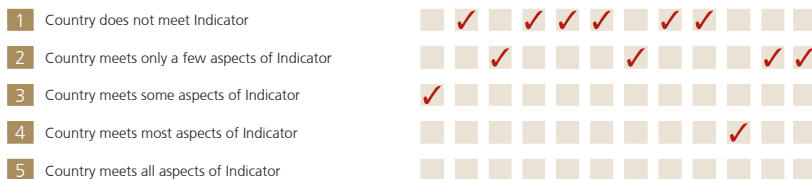
Against this background, it is known that only three advertising agencies and one newspaper have shut down. ‘There are no bankruptcies, competition has not lessened, but more and more media are subsidized. This artificially keeps media outlets afloat, usually at the price of political dependencies.’

The major companies usually advertise with major media outlets, and this leads to concentration of the market. In addition, ‘it is very worrying when monopolists advertise – in this way, they insure themselves against media investigations against them.’ ‘We have very often had problems with the mobile phone operators,’ panellists working in media admitted. ‘Last year we wanted to do a report on the reforms in Globul [one of the major mobile phone operators in Bulgaria], but the company did not stand to gain from such a report. But we released the report anyway and Globul terminated its advertising contract ahead of schedule.’

On the other hand, there are also practices of extortion by media: ‘A small media outlet writes against a given company. The company starts advertising with the respective media outlet and the attacks against it stop.’ ‘Poverty is not a good environment for moral standards,’ the panellists said, summing up the discussion.

Scores:

Individual scores:



Average score: 1.8 (2012: 1.4)

Average score for Sector 2: 2.6 (2012: 2.5)

SECTOR 3:

Broadcasting regulation is transparent and independent; the state broadcaster is transformed into a truly public broadcaster

Broadcasting regulation is transparent and independent; the state broadcaster is transformed into a truly public broadcaster

3.1 Broadcasting legislation has been passed and is implemented that provides for a conducive environment for public, commercial and community broadcasting.

Broadcasting in Bulgaria is regulated by the Radio and Television Act (RTA). This Act was enforced in November 1998, but it has since been repeatedly amended and supplemented. The RTA regulates the operation of public and commercial media service providers.

Community media are not subject to regulation. They are not mentioned in the RTA. Over the years, there have been just a few media outlets with some characteristics of community media. Despite the absence of a legal definition, there is nothing to prevent such media from operating in Bulgaria.

The existing legislation creates a comparatively favourable environment for the operation of broadcasters. But the conditions 'are not equally favourable for the public and the commercial media. Public media are at a disadvantage for a number of reasons; the law makes them dependent upon the political goodwill of the people in power,' a panellist pointed out.

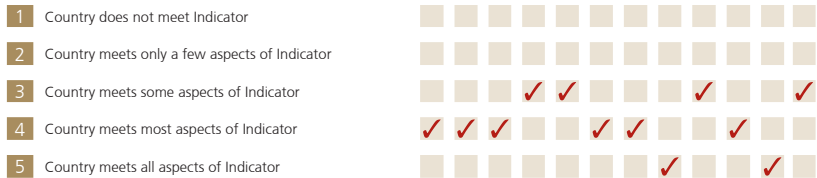
One of the more significant amendments to the RTA in the last two years is the revocation of the so-called lustration provisions in Item 3 of Article 26 and Item 3 of Article 59 (2). The amendment has repealed the provisions whereby any persons who have been on the full-time staff or part-time informers of the former State Security are ineligible for membership of the Council for Electronic Media, and of the management boards of the BNT and the BNR. This amendment has been criticised for being controversial and problematic. On the other hand, it is questionable whether such lustration provisions can be effective, considering that some of the former State Security files have not been declassified while others have been destroyed.

The idea, proposed in the last few years, that media legislation should be expanded by introducing a general media law covering broadcast as well as print and online media has not met with consensus from the Bulgarian media community. According to part of the media professionals on the panel, there is no need of a general media law that encompasses print media: 'there are enough laws, new ones are not necessary.' According to other

panellists, however, print and online media also need to be regulated under a general law on media: 'It is better to have a unified legal framework for all media than piecemeal regulation in different laws. There is a need for general provisions on issues such as concentration or transparency of ownership.'

Scores:

Individual scores:



Average score:

3.8 (2012: 2.5)

3.2 Broadcasting is regulated by an independent body adequately protected by law against interference whose board is appointed – in an open way – involving civil society and not dominated by any particular political party.

The independent special body regulating broadcasting in Bulgaria is the Council for Electronic Media (CEM). The election of CEM members is regulated by the Radio and Television Act. In the last two years, the only change in the eligibility criteria is the revocation of the provision rendering any persons who have been on the full-time staff or part-time informers of the former State Security ineligible for membership of the CEM. The other provisions regarding the composition of the CEM remain in force:

Article 24 (1) The Council for Electronic Media shall consist of five members, of whom three shall be elected by the National Assembly and two shall be appointed by the President of the Republic.

(2) The National Assembly resolution and the presidential decree under Paragraph (1) shall enter into force simultaneously.

Article 25. Eligibility to the Council for Electronic Media shall be limited to persons holding Bulgarian citizenship, who hold a degree of higher education and possess [professional] experience in the following spheres:

electronic media, electronic communications, journalism, law or economics, and enjoy public authority and professional acknowledgement.

Article 26. The following persons shall be ineligible for membership of the Council for Electronic Media:

1. any persons who have been sentenced to imprisonment for premeditated indictable offences;
2. any sole traders, owners of the capital of commercial corporations, partners, managing directors, managerial agents or members of management and auditing bodies of commercial corporations and cooperatives.

The only change in the composition of the regulatory body in the last two years was the election of Ivo Atanasov as CEM member from the parliamentary quota in July 2013. Mr Atanasov's candidacy was criticised by politicians, civil society organisations and experts because of his party affiliation – he was an MP from the BSP for many years. 'The election of a former MP as CEM member is telling of the attempts to exert political influence on the regulatory body,' part of the panellists noted.

The benefits from the operation of the regulatory body are often called into question: 'The CEM has failed to become an ombudsman'; 'if it ceases to exist, hardly anyone will notice,' some panel members claimed. The CEM would be a more efficient regulatory body if there are stricter requirements regarding the expertise of its members and if genuine citizen participation in nominating CEM members is guaranteed.

One of the controversial media cases involving the CEM in 2014 was related to a BNR current affairs talk show (*Dekonstruksiya* [Deconstruction]). The show's host, Petar Volgin, was criticised by some groups of Bulgarian society for being biased, using the show for propaganda purposes, and disrespecting the principles of pluralism. This criticism was caused by the journalist's comments on the anti-government protests in the summer and autumn of 2013. Following complaints about violations in the show, the CEM initiated an inquiry and hearing of the BNR Director General, Radoslav Yankulov. The CEM Chairman, Georgi Lozanov, was subsequently summoned to a hearing at the Parliamentary Committee on Culture and the Media. Mr Lozanov was criticised by Bulgarian Socialist Party MPs for exerting pressure on the BNR – a move which, in its turn, was interpreted as exercise of direct political pressure on the regulatory body.

The panellists' comments on the Petar Volgin case differed. On the one hand, the case was assessed as 'a political action of CEM member Maria Stoyanova against Volgin.' 'Volgin is a good journalist who can provoke his audience and who does not violate the laws.' 'When assessing pluralism,

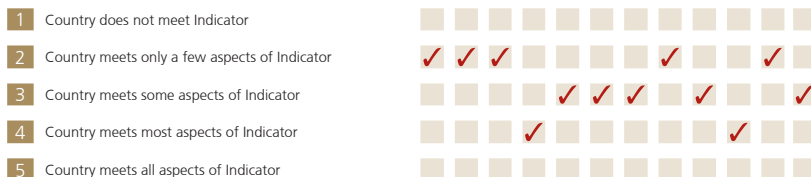
one must consider not just one programme but the media outlet as a whole. The BNR offers a sufficient range of viewpoints which are different from Volgin's. This was an act of gross interference with editorial independence – the content of one programme should not be politicised. Mistakes were made both by the CEM and by the Parliamentary Committee.' Other members of the panel were more moderate in their attitude towards the CEM: 'After all, the CEM took a correct decision in this situation – to speak with the BNR management, and not with Volgin himself.' 'What the CEM did was to react to public pressure'; 'the CEM was showered with complaints and this caused the reactions and the mistakes of the institutions concerned. But it is a fact that Volgin called the protesters "a [Nazi] hit squad" and this is an insult.'

The other regulatory body in the sphere of broadcast media is the Communications Regulation Commission (CRC). The CRC is an independent specialised state body which regulates and controls the implementation of electronic communications, frequency allocation, and telecommunications markets in Bulgaria. The composition and activities of the CRC are regulated by the Electronic Communications Act (ECA). In the last two years, there have been no legislative changes in the eligibility criteria for CRC membership. The CRC consists of five members: the Chairperson of the Commission is designated and dismissed by decision of the Council of Ministers, the Deputy Chairperson and two of the members of the Commission are elected and dismissed by resolution of the National Assembly, and one of the members is appointed and dismissed by decree of the President of the Republic (Article 22 [3], [4] and [5] of the ECA).

'On the whole, the CRC is a body that tries to shirk and transfer responsibilities to the CEM. The CRC's role in the digitalisation process is telling. When a problem arose this year with the digital licences of two of the bTV channels and the media conglomerate requested their early termination, the CRC ran away from the problem and left the CEM to cope on its own.' 'The CRC members are uncomplaining executors of the State's will,' and 'the Chairperson of the Commission is unconvincing in terms of integrity and authority,' the panellists pointed out critically.

Scores:

Individual scores:



Average score:

2.8 (2012: 1.5)

3.3 The body regulates broadcasting services and licences in the public interest and ensures fairness and a diversity of views broadly representing society at large.

Regulation and revocation of licences is within the powers of the Council for Electronic Media. Licences are granted for a term of 15 years. This term may be extended by decision of the Council for Electronic Media at the request of the licence holder for an aggregate duration which may not exceed 25 years (Article 109 of the RTA). Applicants for a radio or television broadcasting licence are required to submit, among other things, a programme design, a programme concept, a programme type and a programme schedule (Article 111 of the RTA). Any person wishing to create radio or television programme services is subject to registration; applications for registration are submitted to and reviewed by the CEM.

There have been several problems related to licensing in the last few years.

The CEM has granted 28 digital broadcasting licences for different television programme services, but not all broadcasters can afford to broadcast their programme services on a digital multiplex. There are also television companies which do not want to offer free content on a digital multiplex out of financial considerations, as they are paying for the broadcast of their programme services by cable or satellite. 'Such is the case with the bTV Media Group. The company initially placed its channels bTV Lady +1 and RING.BG +1²⁵ on the multiplex, but when it saw that it was not making a profit it requested the termination of its digital broadcasting licences for those channels,' a panel member noted.

²⁵ The '+1' extension in the names of the TV channels means that the television programme service is broadcast one hour later than on pay platforms.

Also problematic is the case with the licence of Alfa TV, owned by the Ataka political party. 'It is questionable whether a licence should be granted to a party-owned television station regardless of the fact that it has been licensed as a news and educational channel. This runs counter to many professional, market and political standards, and places the other media and political players at a disadvantage,' the panellists declared.

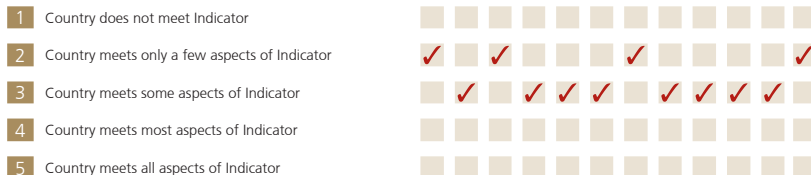
Widespread non-compliance with programme types is also a problem. The CEM must elaborate an effective system for monitoring compliance with programme schedules and react when broadcasters fail to comply with licensing requirements. 'Every television station is obliged to comply with its programme service licence, but we do not know whether it does or doesn't because the licence is hidden from the public. The information you can find about the licence of the public-service BNT is very general and insufficient, while private commercial TV stations do not wish to provide such information at all.' 'Programme service licences should be transparent and available on the website of every television station,' the panellists insisted.

The Bulgarian radio market is poor in terms of programme diversity. It is dominated by music channels – a fact which is more the result of profit-driven business strategies than an omission in the CEM's licensing policy.

Among the CEM's good practices is the conclusion of a trilateral agreement with the Central Electoral Commission and private broadcast media on objective and balanced coverage of the different positions during the referendum on the construction of the Belene Nuclear Power Plant in January 2013, as well as on responsible, accurate and honest media coverage of the campaign for early parliamentary elections in May 2013. 'Those initiatives were done on a goodwill basis and they were largely pointless because the CEM is not entitled to interfere with media content, but they are generally a good gesture.' In order to serve the public interests efficiently, the CEM is expected also to offer precise monitoring of election campaigns, combined with enforcement of standards for quality coverage. 'So far the CEM has not been sufficiently adequate in this respect. We hope that in future elections the regulatory body will be more efficient and useful to the public. There are already expectations that the CEM will fine-tune its media monitoring during the forthcoming campaign for the European Parliament elections,' the panel members noted.

Scores:

Individual scores:



Average score:

2.7 (2012: 1.4)

3.4 The state/public broadcaster is accountable to the public through a board representative of society at large and selected in an independent, open and transparent manner.

The Bulgarian National Radio has a public board (council) which, according to information from the BNR website, is a consultative body assisting the BNR in the performance of its public-service functions.²⁶ The only publicly announced activity of this board is determination of the winners of the BNR's Sirak Skitnik annual awards for radio journalism for 2014.

There is no publicly available information about whether the Bulgarian National Television has a public board at present.

The idea about public boards comes to the forefront during hearings of the candidates for Director General of the BNT and of the BNR. 'If the candidates for this position provide for such a body in their management concepts, then this is a plus for their candidacy.'

In practice, however, such boards have little if any significance. Their existence and work is not known to the wider public, or even to the journalists in the public media. 'The members of the boards themselves lack information about the *raison d'être* of such a body. Members are not paid, nothing is done, and

²⁶ The board consists of Acad. Svetlin Rusev, Prof. Mihail Konstantinov, Prof. Dr. Nikolai Petrov, Mincho Koralski, Ivan Lechev, Koprinka Chervenкова and Kiril Domuschiev. See BNR (20 January 2014). *Noviyat obshtestven savet na BNR shte opredeli tazgodishnite nagradi "Sirak Skitnik"* [BNR's New Public Board to Assign This Year's Sirak Skitnik Awards], available at <<http://bnr.bg/aboutbnr/post/100288462/noviyat-obshtestven-savet-na-bnr-shte-opredeli-tazgodishnite-nagradi-sirak-skitnik>> [accessed 15 April 2014].

I have not heard of such a board ever reporting its activities to the public. This is not an effective instrument,' a member of the panel pointed out.

Scores:

Individual scores:



Average score:

1.3 (2012: 1)

3.5 Office bearers with the State and political parties, as well as those with a financial interest in the broadcasting industry, are excluded from possible membership on the board of the state/public broadcaster.

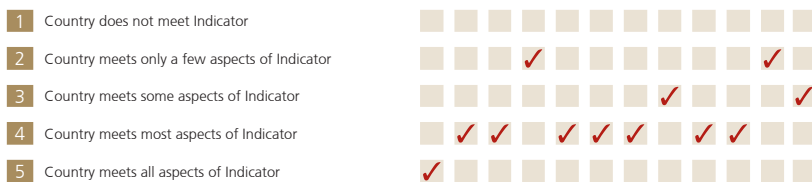
The composition of the management boards of the BNT and the BNR is regulated by the Radio and Television Act. According to this Act, the management boards consist of five members each, endorsed by the Council for Electronic Media upon nomination by the respective directors general (Article 58). The following persons are ineligible for membership of the management boards of the BNR and the BNT: any persons who have been sentenced to imprisonment for premeditated indictable offences, as well as any sole traders, owners, partners, managing directors, managerial agents or members of management and auditing bodies of commercial corporations and cooperatives (Article 59). The term of office of the management boards of the BNR and the BNT is three years (Article 60 [1]). A person may be elected to the management board of the BNR or to the management board of the BNT for not more than two terms of office (Article 60 [2]). One and the same person may not be concurrently member of the management boards of the BNR and the BNT, or concurrently member of any of the said boards and of the Council for Electronic Media (Article 60 [3]).

The regulatory framework in this area is comparatively good, and the requirements of the law are observed. In practice, office bearers with the

State and political parties, as well as those with a financial interest in the broadcasting industry, are excluded from membership on the management boards of the BNT and the BNR. However, there are no regulatory mechanisms guaranteeing that the members of the BNT and BNR management boards will not be guided by hidden political or financial interests.

Scores:

Individual scores:



Average score: **3.6 (2012: 4.4)**

3.6 The editorial independence of the state/public broadcaster from political influence is guaranteed by law and practised.

The Radio and Television Act guarantees the freedom of media service providers and of their activities from political and economic interference. It stipulates that media service censorship in any form whatsoever is inadmissible (Article 5). The Act also regulates the professional relations between journalists and media management bodies, and protects journalists’ freedom of expression:

Article 11 (1) Any opinion may be freely expressed in media services.

(2) Journalists and artists, who have concluded contracts with media service providers, may not be given any instructions or directions as to the practice of their pursuits by persons and/or groups outside the management bodies of the media service providers.

(3) Public criticism of media service providers by employees thereof shall not be treated as disloyalty to the employer.

(4) Journalists, who have concluded contracts with media service providers, shall have the right to refuse to perform an assignment, provided it is not related to implementation of the provisions of this Act or of

the relevant contracts and if it is contrary to their personal convictions; technical editing of programme material or of news may not be refused.

(5) Editorial statutes for work in the sphere of current affairs may be agreed between the owners and/or management bodies of media service providers and the journalists who have concluded contracts with them.

(6) The editorial statute shall state specific definitions and measures for:

1. the protection of the freedom and personal accountability of journalistic work in accomplishing the assignment set;
2. the protection of journalists within the meaning given by Paragraph (2);
3. the professional and ethical standards of journalistic activity in the respective media service providers;
4. the manners of decision-making which concern journalistic activity;
5. the establishment of an internal body for the settlement of any disputes as may arise in the course of journalistic work.

Although they are highly rated, these legal provisions are not always applied in practice. 'Paragraphs (3) and (4) are very good, but they are stillborn – in the event of disagreement with and criticism of their employer, journalists can be dismissed and they will find it hard to defend themselves under this article of the law.'

In addition, the mechanisms of financing public broadcasters make them potentially dependent on the people in power. Although they get some revenues from advertising, the BNT and the BNR receive most of their funding from state budget subsidies, whose amount is determined on an annual basis by the government and approved by the National Assembly. In some cases, this allows using the allocation of the budget of public media as an instrument for political pressure and for securing media comfort.

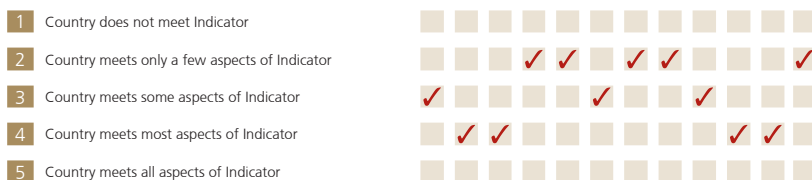
Compared with the earlier years of the transition, the political pressure on public media is more moderate. 'If we compare the present situation with the 1990s, when the BNT and the BNR were an arena of political confrontation and toed the line of every new government, we will see that things have improved somewhat. The BNT and the BNR have managed to attain a certain level of independence and now they are perhaps even freer than the commercial media.' Collective agreements also contribute to the professional protection of BNT and BNR employees.

'Nevertheless, there still are invisible levers for exerting influence,' part of the panellists insisted, giving as an example two concrete cases from the past few months: the meeting of the government and the ruling parties, the

BSP and the DPS, with the Bulgarian media in March 2014, and an interview on the BNT morning talk show with journalist-turned-politician Nikolai Barekov. ‘In the first case the BNT and the BNR were obligated to broadcast this political PR stunt stage-managed by the people in power, while in the second the journalists hosting the morning talk show were told they would be interviewing Barekov just minutes before they went on air, and they were not given the opportunity to prepare for the interview.’

Scores:

Individual scores:



Average score: **2.9 (2012: 2.8)**

3.7 The state/public broadcaster is adequately funded in a manner that protects it from arbitrary interference through its budget and from commercial pressure.

The funding of the BNT and BNR is regulated by the Radio and Television Act. Article 70 (3) of the RTA stipulates that the following shall accrue in revenue to the budget of the BNR and the BNT:

1. financing from the Radio and Television Fund;
2. a state budget subsidy;
3. own revenue from advertising and sponsorship;
4. proceeds from additional activities related to radio and television broadcasting activities;
5. donations, legacies and bequests;
6. interest and other income related to radio and television broadcasting activities.

Although it is provided for by the RTA, the Radio and Television Fund continues to be inoperative, and the main source of funding of the BNT and the BNR is the state budget subsidy. The state budget subsidy is determined per hour of programming on the basis of a standard endorsed by the Council of

Ministers (Article 70 [4] of the RTA). The provisions on accrual of own revenue from advertising and sponsorship have remained unchanged in the last two years: the overall duration of advertising may not exceed 6 minutes per hour for the BNR, and 15 minutes per day and 4 minutes per hour for the BNT; the BNT is entitled to use up to one-third of the overall daily duration of advertising during the time period band commencing at 19:00 hours and ending at 22:00 hours (Article 90 of the RTA).

The amount of the state budget subsidy for the BNR in the last two years is the following: BGN 42 093 000 (EUR 21 521 809) in 2013, and BGN 42 112 000 (EUR 21 531 523) in 2014.

The amount of the state budget subsidy for the BNT in the last two years is the following: BGN 70 128 000 (EUR 35 855 877) in 2013, and BGN 65 147 000 (EUR 33 309 132) in 2014. In 2014 the BNT budget was cut by almost BGN 5 million (approximately EUR 2.5 million). The government's decision to cut the BNT subsidy was strongly criticised by the BNT management as well as by public organisations and experts. There are suspicions that the budget cut was a form of political pressure on the independence of the public broadcaster connected to its coverage of the anti-government protests in the summer of 2013.

'I do not think the subsidy cut is directly connected to the coverage of the protests,' one of the panellists noted. 'As a taxpayer, I would call for even larger cuts because of productions such as *Nedadenite* [The Ungiven], *Chetvarta Vlast* [Fourth Estate], *Pod prikritie* [Under Cover], and others of the sort.²⁷ I want accountability as to exactly how the money for such expensive series is spent. It smells of misuse of funds.' 'Indeed, there is no transparency in how the BNT spends its funds. Let us know how the money is spent,' the other panellists also insisted.

The model of public media financing, which combines simultaneously funds from the state budget subsidy and revenue from advertising, continues to be seen as problematic. On the one hand, the stricter legal restrictions on advertising as compared with those applicable to the commercial media 'do not stimulate the BNT to produce a quality product in order to fight for higher ratings.' On the other hand, 'you cannot receive a subsidy and at the same time have no restrictions on advertising. In that case, the other media should also be allowed to apply for state financing so that you can have a more level playing field.' 'At the moment there is a great disproportion on the radio market: the BNR receives a huge state subsidy while the private sector gets almost nothing, especially considering the crisis in the radio advertising market.'

²⁷ These are TV series produced by the BNT.

Another problem with the BNT and BNR budgets is the high costs paid for broadcasting their programme services. 'Some BGN 15 million [approximately EUR 7.5 million] of the BNT's annual budget go to private company NURTS for broadcasting content on the digital multiplex. Almost all of the BNR's budget is spent on broadcasting and copyright.' At the same time, the salaries of BNT and BNR employees, and especially those in the respective regional centres, remain comparatively low.

In addition to greater transparency and optimisation of expenditure, the public-service media need more adequate protection from political and commercial pressure: 'The fact that their budget depends on the people in power is a problem, regardless of whether there are attempts to exert pressure on them or not, and of whether they are successful or not.' 'For its part, the current dependence on funds from European projects allows the media to be if not controlled then at least tempted.' In addition, the panel members gave examples of successful pressure from local authorities and advertisers on the BNT and BNR regional centres, aimed at suppressing reports on local protests and civil society initiatives.

'One possible solution limiting dependence on the incumbent government is to grant the subsidy for a period of three or four years which does not coincide with the government's term in office,' one of the panellists proposed.

Scores:

Individual scores:



Average score: **2.3 (2012: 2.3)**

3.8 The state/public broadcaster is technically accessible in the entire country.

The Radio and Television Act stipulates that the State must take the necessary measures to guarantee the distribution of the programme services of the BNR and the BNT within the entire territory of Bulgaria upon implementation of the policy in the sphere of electronic communications (Article 44 [2]).

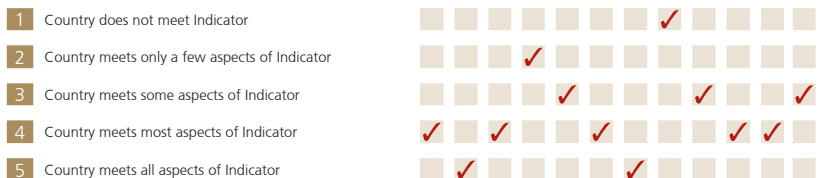
tracting younger audiences as well. This is a good thing, after all,’ another panellist added. ‘It is worrying that the BNT’s most-watched programmes have long been sports championships, and particularly football. The BNT’s news and current affairs programmes are not among the top 50 most-watched programmes of the four television stations with national coverage (bTV, Nova, BNT, and TV7).’

Against this background, although ‘audiences are returning to the BNT,’ ‘the BNT brand is still not sufficiently competitive. The diversity of the BNT’s programming format has not translated into a winning image of the media outlet.’ The BNT would stand to gain from a clearer programming policy, from development of quality youth shows, from modernisation of old productions (such as, for example, *Vyara i obshestvo* [Faith and Society], a programme devoted to religious affairs), and from more programmes on social issues.

As for the BNR, its Horizont Service is ‘the total leader in the radio sector – the other news and talk radio stations are trying to imitate it.’ Horizont is the most listened-to radio station in Bulgaria, with loyal audiences across the country.

Scores:

Individual scores:



Average score:

3.5 (2012: 3.6)

3.10 The state/public broadcaster offers balanced and fair information in news and current affairs, reflecting the full spectrum of diverse views and opinions.

Opinions on the public broadcasters’ news and current affairs programmes vary from strong approval to strong criticism.

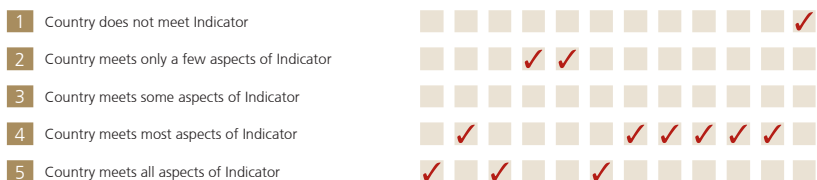
According to some of the panellists, the BNT news programmes are ‘the best in the country,’ they provide a balance of viewpoints, and the BNT is the only television station that offers ‘pure current affairs’.

According to others, however, ‘the presenters and anchors themselves have biases and you can see it,’ ‘news stories are not always ordered in the most unbiased way possible,’ and ‘there is nothing balanced’ in the programmes of regional centres such as BNT2 Plovdiv or Radio Plovdiv.

‘But the main rule is observed: at least two viewpoints are presented, although sometimes one may be given more prominence than the other,’ the more moderate members of the panel pointed out.

Scores:

Individual scores:



Average score:

3.7 (2012: 3.7)

3.11 The state/public broadcaster offers as much diverse and creative local content as economically achievable.

The Radio and Television Act stipulates that at least 50 per cent of the total annual transmission time of the television programme services, excluding the time appointed for news and sports programmes and television games, advertising, teletext and teleshopping, must be reserved for European works, where practicable (Article 19a [1]). The Act also encourages the production and distribution of European works in the radio programme services (Article 19a [2]). ‘European works’ are works originating in Member States of the European Union, including in Bulgaria. There have been no changes in these legal provisions in the last two years.

The panel’s observations on audience attitudes show that ‘regional audiences prefer regional media,’ including the programme services of the regional centres of the BNT and the BNR. ‘In Blagoevgrad, for example, BNR Blagoevgrad has more listeners than the BNR’s central service, Horizont.’

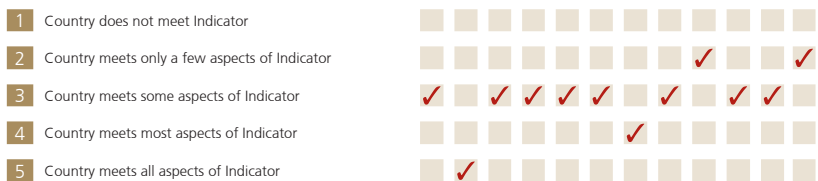
Among the good practices of the public television broadcaster is the commitment of the BNT’s regional centres to more active production of local content for the BNT2 channel.

At the same time, the public broadcasters continue to be criticised for the overall domination of news and events from the capital city in their broadcasts: ‘The flagship BNT1 and BNR are just as centred around Sofia as are the commercial media,’ a panel member declared.

Parallel with recommendations for more diverse information from different parts of the country, there is a need for more news and analyses on all-European issues.

Scores:

Individual scores:



Average score: **3.1 (2012: 3.8)**

Average score for Sector 3: **3.1 (2012: 2.9)**

SECTOR 4:

The media practice high levels
of professional standards

The media practise high levels of professional standards

4.1 The media follow voluntary codes of professional standards, which are enforced by self-regulatory bodies that deal with complaints from the public.

There are now two codes of ethics in the sphere of Bulgarian media: the Code of Ethics of the Bulgarian Media, elaborated in 2004, and the new Code of Professional Ethics of the Bulgarian Media, signed in 2013. The split of ethical standards into two alternative codes reflects the growing conflict between media owners and conglomerates in Bulgaria in the last few years.

The 2004 Code of Ethics was initially signed by some 200 media outlets (print, broadcast, and online media). Two specialised commissions are in charge of monitoring compliance with the Code: an Ethics Commission for Print Media and an Ethics Commission for Electronic Media. The two commissions operate under a self-regulatory authority, the National Council for Journalistic Ethics Foundation.²⁹ Although some of Bulgaria's leading media outlets initially committed themselves to this Code, it has ultimately failed to become a self-regulation instrument valid for all Bulgarian media. A number of popular print media outlets have refused to sign up to it for ten years now, other media outlets have retracted their signatures, while a not insignificant part of those that have signed up to the Code are inclined to disregard its ethical rules.

The second code of ethics was created by the Bulgarian Media Union (BMU), founded in 2012.³⁰ The new Code of Professional Ethics of the Bulgarian Media was elaborated with the participation of media outlets which refused to sign up to or withdrew from the first code of ethics. The 2013 Code is supplemented by Draft Regulations for Application, according to which the activities ensuring an effective self-regulation system are to be realised through three working bodies: a Secretariat, a Commission on the Interpretation of the Code of Professional Ethics, and an Ethics Commission. The Ethics Commission is to be a collegiate body consisting of ten members elected in three quotas of three persons each: one quota of journalists,

29 See National Council for Journalistic Ethics: Ethics Commissions, available (in Bulgarian) at <<http://mediaethics-bg.org/index.php?do=17&lang=bg>> [accessed 15 April 2014].

30 According to its website, the BMU is 'the largest and most representative media organisation in the Republic of Bulgaria, representing more than 90% of the publishers or more than 80% of the print issues disseminated on the country's territory. A significant part of the influential broadcast media that shape public opinion are also members of the organisation'; available (in Bulgarian) at <<http://bmu.bg/view-text.php?id=9>> [accessed 15 April 2014].

one independent quota, and one quota of owners, as well as one member elected by the General Assembly of the Bulgarian Media Union.³¹

Although the two codes of ethics have much in common, they are driven by the split between media owners in Bulgaria rather than by encouragement of proper self-regulation. Against this background, disrespect of ethical and professional standards remains commonplace. For example, many media outlets regularly disclose the identity of crime victims, cover stories of crime, violence and cruelty in a sensationalist manner, and disregard the presumption of innocence. 'No one shows any consideration for crime victims – their photos are everywhere. Even before charges are filed and convictions handed down, the media will declare someone guilty and start digging into their personal life. All personal tragedies are given front-page coverage. Ten years after the first code was elaborated, those who abide by it are the exception. The majority act like paparazzi,' the panellists declared.

The main factor for the ineffectiveness of the codes of ethics is their failure to engage journalists. 'Both undertakings are driven by the agenda of publishers and media owners.' 'I have not read the code which the media outlet I work for has signed up to because it is the product of publishers' interests. I do not recognise it as a journalists' initiative. Neither do I recognise the other code. There are those publishers who are at war with each other, they make up their own rules, and we are expected to abide by them. I disagree. That is why the self-regulation system is ineffective,' said one of the journalists on the panel.

According to part of the panellists, the crisis in self-regulation has been aggravated by the second code of ethics, and more particularly, by the context of its creation. 'Regarding the first code, it was clear what kind of project it was, where the money came from, how much was spent, and who were the people behind it. Journalists were invited to vote and to elect the members of the ethics commissions. The fact that this code has not changed the Bulgarian media landscape is the fault of the landscape itself. The second code was produced in a shady way. There were incidents even during the constituent meeting of the Bulgarian Media Union – when a photoreporter tried to take photos of Delyan Peevski,³² three brawny guys threatened her and told her to erase the photos. Later, only select people were present during the adoption of the code – media owners, publishers, editors – and there were no journalists from other media outlets. For their part, the journalists from the media outlets that adopted the code did not have a say in its formulation.'

31 See Bulgarian Media Union: Proekt na Pravilnik za prilozhenie na Profesionalno-etichniya kodeks [Draft Regulations for Application of the Code of Professional Ethics], available at <<http://bmu.bg/view-text.php?id=1542>> [accessed 15 April 2014].

32 The family of Delyan Peevski owns media outlets that initiated the establishment of the Bulgarian Media Union.

Journalists' refusal to commit to the code signed by their media outlets was deemed as unacceptable by the civil society activists on the panel: 'The code commits you to comply with it. The public knows this is the code of ethics you have signed up to and expects you to abide by it. The fact that this is a code adopted by a particular publishers' union is irrelevant. If I am harmed by a publication, how am I supposed to react?' 'For half a year now, a newspaper has been dealing with me and my life in an outrageous way – with collages, a chorus of hate speech, name-calling. They have never asked for my opinion. I demanded an explanation from the newspaper, I said I will take them to court, and they took this to be a threat. I was summoned to the Homicide Department of the Sofia Directorate of Internal Affairs and I had to sign a document that I would not carry out a threat. At that moment there was no ethics commission I could turn to,' a panel member said, sharing a personal experience.

Litigation is one of the possible strategies for increasing the media's sense of responsibility. Such a measure, however, is seen as controversial. On the one hand, the journalists themselves encourage affected citizens to seek their rights in court: 'for the time being the only instrument that looks feasible is the court'; 'there are gutter media and there are media which are used as "baseball bats" because people do not litigate.' On the other hand, the civil society activists are sceptical: 'Do not sue the media, it is futile, some of the court rulings in such cases are truly absurd'; 'litigation is costly, it takes time, and the affected party does not get immediate satisfaction.'

Another possible solution is cooperation between journalists and civil society: 'As citizens, we should take the initiative and elaborate standards together with journalists. There should be a clear agreement between the journalists and the public. An arbitration body should be established. Each journalist should let the public know which standards she or he has signed up to.' However, this approach is not easily accepted, either: 'The journalistic community in Bulgaria is immature, it first needs to recognise itself as a community. We shouldn't wait for some NGO to come along and create a code for us.' The absence of an organised journalistic community is also a problem: 'the community is not united,' 'everything is a matter of personal ethics, I do not believe in self-regulation.' 'If there is no community, you cannot have a set of community norms. This problem is a problem of Bulgarian society at large,' the panellists pointed out.

A third possible strategy for improving self-regulation is through the employment contracts of media employees: 'We cannot rely solely upon the professional responsibility of journalists – this is a naïve approach. The code of ethics should be part of the employment contract of every journalist. Only then will the journalist, the editor and the media outlet feel responsible. The

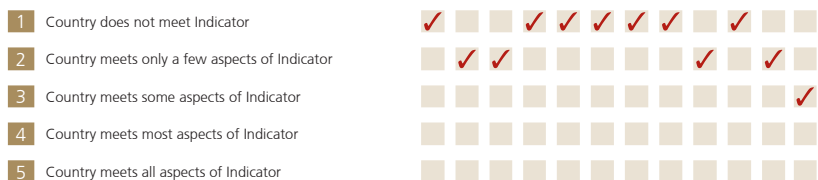
first step must be taken in-house. Then once we have an in-house culture, we can start thinking about developing a communal culture.’

A fourth approach to promoting good journalistic practices is through consumer pressure and boycott – by refusing to consume media that do not comply with professional standards and abuse the trust of the public: ‘All other options obviously do not work. You cannot leave it to publishers and employers because they live in a world of competition and wars. As for journalists, bad practices are a professional norm among them but changing the norm is something extremely difficult.’

The proposals for encouraging better media self-regulation, made in the course of the lively discussion, were dominated by scepticism.

Scores:

Individual scores:



Average score:

1.5 (2012: 2.3)

4.2 The standard of reporting follows the basic principles of accuracy and fairness.

The principles of accuracy and fairness are enshrined both in the 2004 Code of Ethics and in the 2013 Code of Professional Ethics of the Bulgarian Media. Practice, however, largely deviates from the prescribed standards.

Bias and unfairness are an abiding characteristic of the Bulgarian media landscape. ‘But this is also a characteristic of Bulgarian society at large, therefore we should not expect too much from the Bulgarian media,’ the panellists noted. Many media outlets do not follow the principles of accurate reporting. Manipulation of information is commonplace.

‘If we have access only to certain media outlets, as is usually the case, we cannot get a realistic picture,’ the panel members pointed out critically. The

civil society activists were especially critical of the media in large regional centres such as Varna and Plovdiv: 'Plovdiv media definitely do not abide by the principles of accuracy and fairness'; 'Varna newspapers belong to two rival media conglomerates and if you have information that is bad news for one conglomerate it will appear in the media of the other conglomerate.' The political dependencies of regional media become especially obvious during election campaigns: 'then the papers do nothing other than serve the interests of the respective political circle; no one bothers to conduct investigations.'

According to part of the panel members, the lack of fairness is most obvious in the print media and more moderate in the mainstream TV channels. 'Still, the Bulgarian media landscape is now diverse enough to allow us to get a relatively realistic idea about what is going on in the country, especially if we know what each media outlet is inclined to lie about,' some of the panellists noted. According to part of them, there is a sort of 'dependent pluralistic media' in Bulgaria. Other members of the panel, however, objected to this opinion by arguing that very few people can afford to read a sufficiently wide range of newspapers in order to get a pluralistic picture (the most-read newspapers in Bulgaria are those of the New Bulgarian Media Group Holding because they are the cheapest; furthermore, in some towns and villages access to daily press is practically limited only to the papers published by this media conglomerate). In addition, the objectors noted that ordinary people usually have no idea who owns the media they use. That is why from this perspective, the positions of the expert, with access to many media outlets, and of the ordinary citizen, with more limited media consumption, should not be presented as identical.

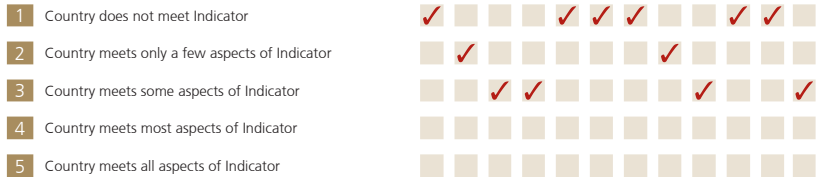
One of the most serious problems related to violation of the principles of accuracy and fairness continues to be the publication of paid editorial content without clearly labelling it as such. This practice is especially common during elections. 'Media outlets – at that, serious ones – have already submitted offers for provision of information services to the Central Electoral Commission (CEC) during the present campaign for European Parliament elections. The offer includes publication of several reports and one interview with the Chairperson of the CEC, for which the CEC is expected to pay thousands of leva! Yet during the campaign the media will have an interest in covering the activities of the Electoral Commission anyway,' a panel member noted.

Accuracy is largely a matter also of journalists' investing enough time in background research and verification, and willing to revise already published information. This is often a serious problem. For example, one of the panellists pointed out that 'the allegations reported in the media that a Roma underage mother could receive BGN 1100 [EUR 563] a month in welfare benefits were left unrefuted. The fact that the Agency for Social Assistance

issued a refutation did not get any publicity whatsoever. This speaks of a reluctance to put things right. Despite all ethical rules.'

Scores:

Individual scores:



Average score:

1.8 (2012: 2.1)

4.3 The media cover the full spectrum of events, issues and cultures, including business/economics, cultural, local and investigative stories.

There are several serious shortages in the content of Bulgarian media as a whole.

In-depth coverage of international news is still lacking. Although the Bulgarian media follow the international news, coverage is usually superficial. 'There is a lack of analysis on international issues. A connection is not made between global processes and their impact on Bulgaria. We are becoming very parochial and cut off from the rest of the world,' a member of the panel noted.

Business and economic information is not presented adequately, either: 'The major media do not deal in-depth with economic issues. Their explanation is that serious economic topics do not attract advertisers.'

Social issues tend to be covered emotionally rather than in the context of cause and effect. 'There is a bleeding-heart approach towards the poor instead of adequate presentation of the problems of working people. The media will show the dark hole a family is living in but say nothing about what brought it to this. When we try to seriously discuss issues related to working people's rights, the major media show no interest. We can make ourselves heard online only,' a representative of the NGO community said.

One of the most serious shortages in Bulgarian media is that of investigative journalism. This is a problem in both regional and national media. The main

reason for the shortage of journalistic investigations is the lack of resources: 'Only the major television stations can afford to pay for investigative reports. It is difficult for newspapers to regularly set aside money for investigations.' Another obstacle is staff overload: 'There are journalists who want to conduct investigations but have no time because of their other duties at the office.' In regional media, close relationships between people are also a factor: 'It is almost as if we are all cousins and this gets in the way of investigations,' a regional journalist noted.

'On the other hand, we ourselves have conducted investigations, turned to central and regional media, and given news conferences at the Bulgarian News Agency on issues of serious public importance. The result: zero interest and zero coverage,' a civil society activist declared.

A specific problem preventing the development of quality investigative journalism in Bulgaria is the widespread use of quasi-investigative ploys in the context of the media wars: 'There is always suspicion as to whether we are being offered a true investigation or a trumped-up investigation. Investigative journalism in Bulgaria does not have a good reputation.'

In addition, the effectiveness of media investigations is called into question: 'It would only be natural if an investigation has consequences such as dismissals or arrests. But in Bulgaria nothing ever happens, the institutions do not follow up on journalistic investigations. This is discouraging.'

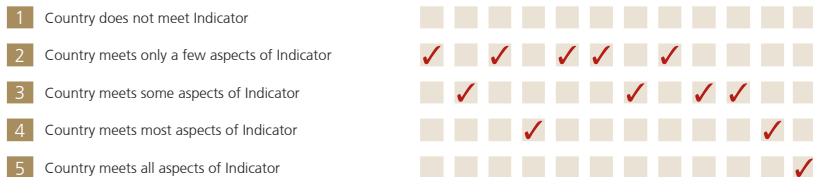
The main reason for the shortages in media content are the commercial interests of media companies: 'The major media operate on the basis of a purely marketing approach. They think in terms of target groups, ratings, costs. At the end of the day, they opt for the most cost-effective target group.' 'It is no coincidence that there is a preference for reality TV formats – they sell well to advertisers,' the panellists pointed out.

In pursuit of commercial interests, Bulgarian media give priority to sensationalist news. 'When covering a regional event, the correspondents of the central newspapers will up and leave if there are no corpses or people with AIDS,' a journalist from a regional media outlet said. The end result of the commercialisation of the Bulgarian media landscape is the formation of an audience of consumers, not of citizens. 'And that is in the best-case scenario, because there are also media outlets which are used primarily for black PR and exist outside the market logic,' one of the panel members noted.

Contrary to the criticism of the quality of media content in Bulgaria, there is an opinion that, 'strictly speaking, there are no taboo topics. There is a lack of in-depth and consistent coverage. But it is good that there are market niches for special-interest media – after all, there are such in Bulgaria.'

Scores:

Individual scores:



Average score:

2.9 (2012: 3)

4.4 Equal opportunities regardless of race or ethnicity, social group, gender/sex, religion, disabilities and age are promoted in media houses.

There is a serious gender imbalance in the Bulgaria media, where women are overrepresented compared to men. The problem starts already at the level of education in the faculties of journalism, which attract mostly women. Among the reasons for the overrepresentation of women is also the fact that journalists are often underpaid.

Another general characteristic of Bulgarian media's staffing policy is the preference for employing above all young and inexperienced people because they will accept low pay, but also because they can be formed or even manipulated according to the media company's interests. This is characteristic both of the national and of the local media in Bulgaria. 'Employees of regional print media outlets are overworked and underpaid, and young people do not stay long. They are usually students who get low pay, work for a year or two, and then leave and move to Sofia.' 'Exploitation of young people is a common malaise of the Bulgarian economy,' the panellists noted.

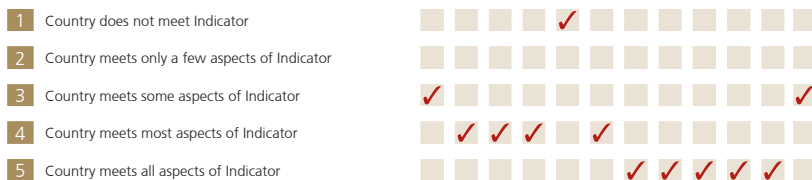
According to the majority of the panel members, despite some exceptions, the Bulgarian media as a whole do not practice discrimination on racial, ethnic, religious or social grounds. It is telling that SKAT TV, the media outlet of the nationalist National Front for the Salvation of Bulgaria, has a special programme for the Roma minority in Bulgaria, presented by a journalist of Roma origin.

One of the panellists highlighted the need for a more precise definition of this Indicator, as journalism is a profession that requires specialised skills: 'People

with physical disabilities, for example, are not very suitable for this dynamic job. As for the Roma, many of them cannot become journalists because of the lack of education. The problems do not lie in the media houses; they start at an earlier stage and have to do with opportunities for education.'

Scores:

Individual scores:



Average score: **4 (2012: 3.4)**

4.5 Journalists and editors do not practise self-censorship.

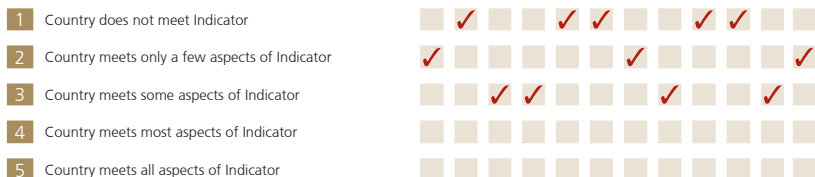
Self-censorship continues to be widespread in the Bulgarian media. It is apparently part of the socialisation of journalists in media houses. 'It happens gradually, as an invisible process – you gradually understand what you can and what you cannot do. Every media outlet presses you into its mould and you eventually get used to it,' said the journalists on the panel.

Self-censorship is also caused by external pressure in the form of phone calls, threatening letters from corporations and advertisers, 'getting summoned to the office to be told off,' and so on. In such conditions, journalists realise that if they want to keep their job they must conform and self-censor.

A significant part of the personal blogs of journalists employed in media are the product of self-censorship in the workplace. Thus, personal online space allows journalists to share views they cannot express in the media they are working for.

Scores:

Individual scores:



Average score:

1.9 (2012: 1.6)

4.6 Owners of established mainstream private media do not interfere with editorial independence.

Owners often interfere with the editorial content of their media. Most of the major media in Bulgaria have overt or covert lists of people who may or may not be invited on shows or interviewed in print. In some media, guidelines are issued on a daily basis, while in others they are strategic, setting the general framework of editorial policies.

In the last year, the Bulgarian public learned of the existence of the so-called 'talking points' produced by party headquarters. This happened after a series of documents with talking points which activists of the ruling Bulgarian Socialist Party were to use in commenting on current political affairs were leaked to the media. The talking points in question proved to be very similar to the editorial content of part of the media. 'This is very bad and dangerous. It is an indication of the dependence of Bulgarian media on the political centres of power. Media owners are subjected to political influence. For their part, they exert pressure on journalists, the result being that talking points are reproduced in the form of editorial content.' 'It seems to me that the talking points are discussed with the [political party's] closest journalists, who embrace them as their own and set out to disseminate them with conviction,' the panellists pointed out.

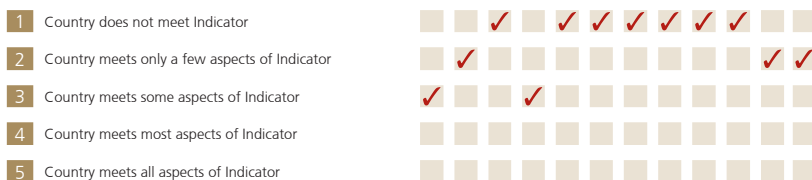
Another recent example of interference with editorial independence comes from the largest private television network in Bulgaria, bTV. It is owned by the international company Central European Media Enterprises (CME), with a 94% stake, and Krasimir Gergov, with a 6% stake. Mr Gergov's contract grants him powers to interfere with the content of bTV news programmes. There are suspicions that Mr Gergov's connections to the people in power led to pressure on the hosts of the bTV morning talk show, Ani Tsoleva and

Viktor Nikolaev, in the summer of 2013. ‘Gergov enjoyed support from the people in power, but Ani Tsoleva and Viktor Nikolaev conducted a series of inconvenient interviews with politicians. That is why the management decided to separate the pair. Tsoleva and Nikolaev refused to be separated and left bTV.’ Several months later, after an independent external analysis was conducted of political influences in bTV, the CME changed the bTV management team. This change had an effect on the content of bTV. ‘People who were inconvenient or tabooed before [the change of management], are now invited for interviews – such as, for example, Judge Miroslava Todorova or former bTV anchor Ivo Indzhev,’ the panellists said, commenting on the case.

Against the background of the widespread practices of interference with the editorial content of Bulgarian media, there are nevertheless some ‘sufficiently free small media outlets,’ one of the panellists declared.

Scores:

Individual scores:



Average score:

1.6 (2012: 1.2)

4.7 Journalists and media houses have integrity and are not corrupt.

Lack of integrity and corruption continue to be a serious problem in the Bulgarian media. Corruption occurs in different forms.

There are media which ‘extort companies by publishing a series of nasty articles meant to force them into advertising with the respective media outlet so that the attacks against them would stop.’ There are also cases of journalists purchasing higher education diplomas – for example, ‘a court reporter purchasing a law degree.’ Journalists continue to receive money from politicians and businesspersons in return for positive media coverage. ‘Recently, however, direct payments in cash are not so frequent, and there has been a shift towards indirect mechanisms. For example, the role of the State as the

main advertiser in the media is of great importance – this creates indirect conditions for corruption,’ a member of the panel pointed out.

Another form of wooing journalists is invitation from politicians to accompany them on their trips abroad: ‘MEPs are regularly inviting journalists to travel with them to Brussels. At that, without there being any special occasion.’ ‘When he became President of the Party of European Socialists, Sergei Stanishev also invited a large group of journalists to travel with him and then all of them returned the favour by praising him in their reports.’ Such closeness between politicians and journalists is ‘a normalised practice.’ The same ploy is occasionally used by the European Commission, too. For example, a panel member noted that ‘on the issue of the EU-US Transatlantic Trade and Investment Partnership, the European Commission invited a journalist from Bulgaria to whom the officials in Brussels provided only the information they wanted to be published, indicated who was the local spokesperson on the subject, and “recommended” interviewing the person in question. Thus, if a journalist does not have critical thinking, he or she will become a mere conduit for the promotion of talking points. We can only be happy that in this particular case they happened upon a thinking person who did not blindly follow the recommendations.’ In most such cases, ‘the problem lies with the journalist who agrees,’ one of the panellists pointed out. ‘It would be more accurate to say that journalists in Bulgaria work to order, not that they are corrupt,’ a civil society activist declared.

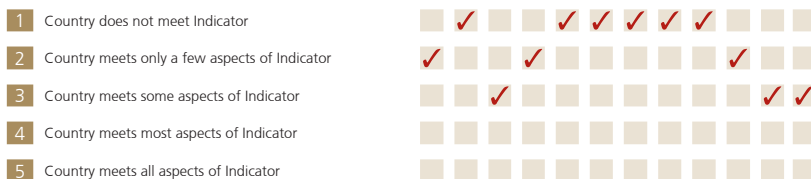
The panellists representing non-governmental organisations pointed out that the blurring of the lines between journalism and PR is a significant problem in Bulgaria: ‘In the private media there are journalists who practice both professions at the same time. Journalists from the public media often become PR officers of government departments and then return and continue working for these selfsame public media after their term in office expires. This runs counter to the principles of unbiased and fair reporting.’ According to the exponents of this opinion, the Bulgarian journalistic community often ‘lacks sensitivity’ about the importance of the problems stemming from the blurred lines between PR and journalism. Other members of the panel, however, most of them journalists, disagreed with this criticism: ‘Professionals are professionals. There is no problem with a journalist leaving government service after the government falls and returning to media. It is the same as in the case of lawyers – a professional should not be identified a priori with his or her client.’

‘At present the lack of integrity is a bigger problem than corruption. In the last two years corruption has declined. The blatant forms of corruption – payment in cash – were more widespread under the previous government. More civilised forms are being used now – lobbying, PR, through broker compa-

nies, and so on. But the issue of integrity in the Bulgarian media has remained at the same level,' one of the panellists said, summing up the discussion.

Scores:

Individual scores:



Average score:

1.8 (2012: 1.8)

4.8 Salary levels and general working conditions for journalists and other media practitioners are adequate.

The financial and economic crisis that began in 2008 seriously affected the Bulgarian media, and its effects were still being felt in the last two years. Media staff are continuing to be downsized, as a result of which 'journalists are working much more for much less.' Another important factor is the 'bad coincidence between the crisis and the introduction of delegated budgets of universities. The faculties of journalism are producing too many journalism graduates for a shrinking market. That is why people are inclined to work for much lower pay.'

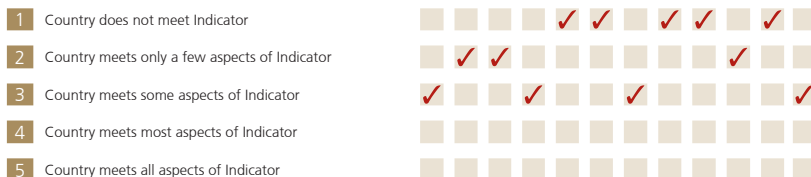
As a whole, journalist salaries are close to the average salary in Bulgaria. The salaries in regional media are lower than those in Sofia-based media. 'This is the case even in the regional branches of the public media – the working conditions are good but the salaries are low,' the panellists pointed out. There are also large differences between the salaries of top journalists and the other media professionals. The panel, however, judged this to be normal.

Another peculiarity of the Bulgarian media sphere is that the higher quality of a particular media outlet does not guarantee higher pay. Salaries in the tabloids tend to be higher.

Among the unfavourable characteristics of the Bulgarian media landscape is that many media houses do not undertake to protect their journalists. In addition, media outlets are increasingly offering journalists contracts for services instead of full-time employment contracts, and little if any social benefits.

Scores:

Individual scores:



Average score:

1.9 (2012: 1.8)

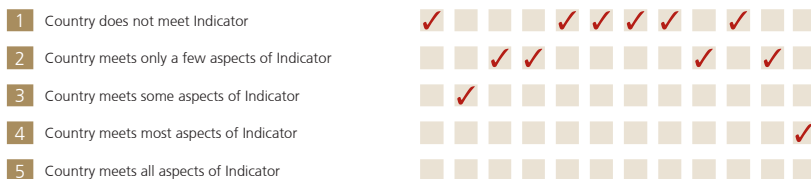
4.9 Media professionals have access to training facilities offering formal qualification programmes as well as opportunities to upgrade skills.

Opportunities for further training of media employees have been decreasing in the last few years. Although some non-governmental organisations offer specialised training courses for journalists in subjects such as the judicial system, healthcare or economics, interest in such programmes is declining. There is a growing tendency for media companies to avoid developing and training their own staff. Instead, they prefer to recruit prominent journalists from rival media – ‘to steal or buy ready-made stars.’

The public broadcasters are among the few media outlets that offer journalists opportunities for professional training and special education. A good initiative related to upgrading the professional skills of young investigative journalists are the annual scholarships awarded by the Radostina Konstantinova Foundation for training in foreign media.

Scores:

Individual scores:



Average score:

1.8 (2012: 2.1)

4.10 Journalists and other media practitioners are organised in trade unions and/or professional associations.

The professional associations in the media sphere and media-related branches in Bulgaria consist of two types of organisations: of owners in the media industry, on the one side, and of journalists and media employees, on the other. There is a huge disproportion in the efficiency and effectiveness of those two types of associations.

Media owners are organised in powerful structures which actively defend the interests of the media industry. Such organisations are the Association of Bulgarian Broadcasters, the Bulgarian Media Union, the Union of Publishers in Bulgaria, the Bulgarian Association of Regional Media, the Association of Television Producers, and the Bulgarian Association of Communications Agencies, to name but a few.

Unlike the representatives of the media industry, journalists are poorly organised. Media employees do not get adequate professional and trade union protection. 'When a journalist loses their job, they have no one to turn to for help unless they hire their own lawyer,' the journalists on the panel pointed out. The oldest and best-known professional association in Bulgaria, the Union of Bulgarian Journalists (UBJ), is criticised for lacking the potential to provide effective protection and defence of the professional interests of journalists: 'Before 2000 the UBJ was very active, but after that there were a series of scandals and the Union lost much of its reputation which it still cannot clean up. Many journalists left the UBJ and now it will be hard for them to go back.' 'The UBJ looks more focused on the past than on the present,' the panellists noted, but they also pointed to a good practice of the UBJ: providing support for women with children under 18 years of age.

Journalist trade union organisations are more characteristic of the public than of the private media. The efficiency and effectiveness of the trade unions, however, are far below expectations: 'In the public media, trade unions are used for the purpose of backing one candidate for director general or another. Their other role is advisory, when some small sums of money need to be distributed. A large part of the journalists are not trade union members. Insofar as any guarantee exists, the rights of journalists in the public media are guaranteed through the collective agreement.'

One organisation that has become popular in the last few years is the Association of European Journalists – Bulgaria (AEJ). The AEJ is active in speaking out on day-to-day issues in the media sphere, in promoting good media practices, as well as in providing useful information about journalist training

courses, competitions and scholarships abroad. 'Although the AEJ staff are active in providing information and elaborating declarations, they do not offer effective assistance to journalists in need – this is not part of their activities,' the panellists pointed out.

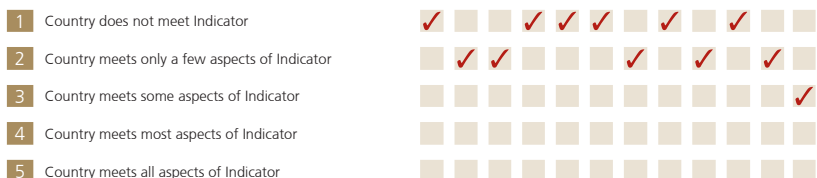
'We do not have a sense of community, that is why we cannot organise ourselves'; 'unlike the owners, we are not aware of our common interest,' the journalists on the panel noted. Still, in the last few years there have been examples of informal mobilisation of journalists around concrete issues – such as defence of Ivan Bedrov and Emmy Barouh following their dismissal from Deutsche Welle (September 2013; see Indicator 1.2) or the sending of an open letter to European Commission Vice-President Neelie Kroes about the endangered freedom of media in Bulgaria (September 2012). 'Mobilisation in such cases is reactive, ad hoc; it does not initiate a collective project that can resolve a pressing problem of the community,' a representative of the NGO community said.

An additional factor for the absence of a powerful journalistic association is the absence of common ground between the journalists in Sofia and in media in the rest of the country: 'Regional media have their own agenda, while Sofia-based reporters have a very erroneous idea about what is happening out of Sofia.'

One result of the deficiencies in the self-organisation of journalists in the country is the absence of Bulgarian members in significant international organisations uniting representatives of the national self-regulatory bodies.

Scores:

Individual scores:



Average score: **1.6 (2012: 2.2)**

Average score for Sector 4: **2.1 (2012: 2.2)**

OVERALL SCORE FOR BULGARIA: **2.9 (2012: 2.7)**

Developments over the last few years

Negative developments

- Deepening crisis in media self-regulation. Continuing decline in professional and ethical standards. Low quality of journalistic content, including in terms of competence, objectivity and fairness.
- Absence of a unified and organised journalistic community.
- Media dependence on corporate interests of media owners and their associates. Division of the media into warring camps serving major oligarchic interests.
- Ineffective measures to restrict media concentration and to increase transparency of media ownership. Growing media concentration in the online sphere, too.
- Commercialisation and stunted socially responsible functions of media. Continuing domination of sensationalism, even in serious and important public debates. Oversimplification and avoidance of in-depth coverage.
- Violated media autonomy owing to a limited advertising market. Dependence on advertising from central and local government. Publication of paid content without labelling it as such.
- Use of mechanisms for exerting indirect pressure on media by the people in power.
- Tendency towards establishment of practical monopoly over print media distribution.
- Growing crisis in the radio sector, especially with regard to quality private radio stations.
- Difficult survival of independent news sites.
- Continuing cuts in funding for journalistic investigations.
- Growing media dependence on PR agencies. Ever wider use of media for black PR and public opinion manipulation.

- Strong negative attitude of a number of media outlets towards non-governmental organisations and civil society activists.
- Declining salaries of journalists, demotivation of media professionals.

Positive developments

- Growth of alternative sources of information online – blogs, independent news sites, individual journalistic and citizen investigations, and so on.
- Stronger influence of citizen media and social networks in public opinion formation.
- Greater diversity of viewpoints and ideas in media content as a whole. Absence of categorical domination of a particular political or ideological position.
- Stronger critical approach of the major television stations with national coverage towards the people in power.
- Less direct pressure on media from the people in power.
- Preservation of relative independence and stable development of the public media. Positive role of public media in the context of media pluralism.
- Stronger interest of civil society in media issues.
- Heightened interest of European media and institutions in the negative aspects of the Bulgarian media landscape.
- Improved statutory regulations on media coverage of election campaigns.
- Upheld right of journalists not to disclose their sources of information.
- Citizen pressure and expectations for speedy improvement of transparency of media ownership.

The Way Forward

- Fine-tune legislation on media concentration. Take effective measures to restrict concentration of cross-ownership.
- Clearly distinguish paid from editorial media content – in the context of political coverage (during or outside of election campaigns) as well as coverage of business, economic, cultural, lifestyle, and other news.
- Create system for auditing the media environment in its different quantitative aspects – audience measurement, circulation rates, subscribers, revenue, and so on.
- Include mandatory professional and ethical standards in the contract (contract for services or employment contract) of every journalist. Provide public information about the media outlets in which journalists have signed such contracts.
- Develop adequate legal mechanisms for guaranteeing transparency of media ownership.
- Change system of financing public media so as to subsidize them on the basis of a fixed percentage of the national budget.
- Exercise strict financial control and regularly publish the financial reports of the BNT and the BNR.
- Publish the programming licences of all broadcast media (on the website of the respective media outlet or on the CEM website).
- Launch a separate channel devoted to culture within the BNT network.
- Maintain active public boards at the BNT and the BNR, which report regularly on their activities. Encourage commercial broadcast media to introduce public boards assisting them in their activities.
- Take measures to improve citizens' media literacy.

Panel Members

Ms Vesislava Antonova, journalist in a national weekly newspaper
Mr Zhivko Georgiev, sociologist, university lecturer
Ms Vanya Grigorova, economist, activist in the sphere of socio-economic policy, editor of a website
Mr Ivo Hristov, TV journalist
Ms Elena Kodinova, journalist in a national daily newspaper
Ms Elka Krasteva, lawyer, civil society activist
Ms Valentina Mincheva, journalist in a regional newspaper
Mr Yavor Nikolov, journalist in an online media outlet
Ms Rosinka Prodanova, producer at a regional radio station
Mr Georgi Serbezov, civil society activist
Ms Ruzha Smilova, political scientist, researcher in an NGO, university lecturer
Ms Antoaneta Tsoneva, expert at a non-governmental organisation on citizen participation and the electoral process

Rapporteur

Ms Nikoleta Daskalova

Moderator

Mr Orlin Spassov

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Friedrich-Ebert-Stiftung
Office Bulgaria
97, Knjaz Boris I Str.
BG 1000 Sofia
Bulgaria
Tel.: +359 2 980 87 47
Fax: +359 2 980 24 38
e-mail: office@fes.bg

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