

3.2. Portrayal of the media landscape in Republic of Macedonia

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3.2.1. Features of the media space in Republic of Macedonia

3.2.2.1. The division of the media space

In the Republic of Macedonia, in reference to the electronic media outlets, there is a dual media system, composed of public broadcasting outlets and commercial broadcasting outlets¹. According to the official data from the Broadcasting Council of the Republic of Macedonia, "besides the public broadcaster MRTV that has three TV channels (MTV 1, MTV 2 and Parliamentary Channel) and MKTV-SAT i.e. the satellite channel for the Macedonian viewers living abroad, i.e. 6 radio programs –the broadcasting space of Republic of Macedonia has a total of 157 TV and radio emitters or broadcasters" (Broadcasting Council of Macedonia, 2012a: 6-8). Out of the total, 77 outlets are commercial TV stations (5 which broadcast via terrestrial transmitter at a state level, 13 outlets broadcast via a satellite transmitter, 10 outlets are regional and 49 outlets are local television stations)². The national commercial broadcasters are: Kanal 5, Sitel, Telma and Alsat - M. The fifth one, A1TV was closed on July 31st, 2011 due to insolvency, i.e. bankruptcy due to unpaid liabilities. In terms of radio stations, there are a total of 77 commercial radio stations. Out of these, 3 are broadcasting on the entire territory of the Republic of Macedonia i.e. provide national coverage (Antenna 5, Kanal 77 and Metropolis)³, 16 broadcast on regional level and 58 broadcast locally. There are also 3 non-profit local radio stations⁴.

¹ In addition to the public broadcasting service, broadcasting is performed by broadcasting companies (or commercial providers of audio-visual content), and nonprofit broadcasting entities.

² Permission for broadcasting via satellite transmitter has been issued to a total of 7 broadcasters. Two are established by natural persons: TV Sonce and TV AB Kanal. Four are established by legal entities: TV Sitel 3, TV 24 News, Alpha TV, Kanal 5 Plus, while Nasha TV is owned by three natural persons and four legal entities. For broadcasting locally, permission have been issued to 49 television stations, out of which 43 are established by a single legal entity, five have been established by legal entities, and one has mixed ownership. (Broadcasting Council of the Republic of Macedonia, 2012b: 70)

³ Three radio stations that are licensed to broadcast program at state level are owned by domestic capital. Radio Kanal 77 was established by a legal entity, while Antena5 and Metropolis with prevailing musical content are established by natural persons.

⁴ These are university radio-stations.

In terms of printed media, the first daily newspaper, owned by the state, was NIP *Nova Makedonija*⁵. In March 1996 came out the private daily newspaper *Dnevnik* which was founded via the publishing company "Krug" by three journalists (Mile Jovanovski, Branko Geroski and Alexander Damoski)⁶, marking in fact the start of the pluralism in the field of printed media. In 2003, the German WAZ purchased the newspapers *Dnevnik*, *Vest* and *Utrinski Vesnik*, followed by the purchase of the weekly magazine *TEA Moderna* and *Globus*. With this purchase, WAZ has gained dominance in the market with the capacity for printing and distribution activities under the umbrella of MPM. After ten years of success in the market, MPM was sold to Orka Holding for 6.9 million Euro, which in August of 2012 sold 50% of the company to "Internet Group", owned by "Telegraph".

Eight years ago, the total circulation of all newspapers reached the figure of 150,000 copies, while at this moment it is around 60,000 copies, where the leading newspapers in Macedonian language are *Dnevnik*, *Vest*, *Utrinski Vesnik*, *Vecer* and *Nova Makedonija*, while the leading newspapers in Albanian language are *Lajm*, *Journal Plus*, *Koha* and *Fakti*. In terms of average market share, the numbers are as follows: "Den⁷ - 0.5%, Dnevnik - 3.5%, Fakti - 0.1%, Fokus - 1.1%, Kapital - 0.1%, Koha - 1.3%, Lajm - 0.4%, MK Sport - 1.0%, Nova Makedonija - 1.0% , Utrinski Vesnik - 1.0%, Vecer - 1.1%, Vest - 6,1%" (Ipsos Strategic Puls, 2012). The market has several weekly magazines and among them are *Kapital*, *Gradjanski*, *Fokus* and *Republika*. The weekly magazine *Fokus* has the most critical attitude toward the government and till date is the magazine with the most lawsuits for defamation and slander lodged by political figures. At the same time, several publications have disappeared from the market, like the weekly magazine *Forum* for example.

At the same time, the number of internet news websites is continuously growing. The biggest disadvantage of this journalism category is the fact that such internet news portals only copy information and news reports from foreign and domestic media outlets, with a very small number of news reports and information researched by journalists working in these internet websites.

⁵ At the beginning of 2000 started the decline of this largest news publisher, followed by a privatization process.

⁶ First independent newspaper in Macedonia was the daily newspaper *Republika*, which hit the market in 1991, but closed after 218 published editions.

⁷ was closed at the beginning of 2013.

3.3.2.2. *Legislation*

The manner of liberalization of the Macedonian media after 1991 has profound influence on the current situation in the printed and electronic media outlets, as well as on the status of the journalists. Namely, with the independence of the Republic of Macedonia and the adoption of the Constitution in November 1991⁸, for the very first time in the country, conditions were created for establishment of independent private printed and electronic media outlets. In the first years until 1997, the general belief among politicians and the journalistic community was that this process should evolve freely, without any laws that would restrict the media, because that would post a restriction or limitation on the freedom of expression guaranteed by the Constitution dated 1991.

Hence, the fact that the media pluralism was established before the legislation has significantly influenced the subsequent development of the broadcasting industry and the specificity of the Macedonian media market. In compliance with the legislation on broadcasting dated 1997, which was the first codification for regulation of media ownership, the Government of Republic of Macedonia had the principal right to award broadcasting concession, which at the same time meant interference of the Government in media independence. In this regard, in 1997, when the Law on Broadcasting⁹ was adopted, R. Macedonia had more than 300 radio and TV stations, and after the first two Notices for awarding of concessions, a total of 127 commercial broadcasters were legalized. In 2001 and 2004, within two new Notices for awarding of concessions, new concessions on national and local level were awarded, meaning that the frequency space was used to the maximum. Meanwhile, the broadcasting was performed in compliance with two forms: commercial (private) broadcasting organizations and public (national or municipal) broadcasting organizations.

Given the above fact, the pluralism in the broadcasting in the Republic of Macedonia, as one of the fundamental values of the new democratic society, both real and normative, was established in the period between 1991 and 2005. "The broadcasting system was fully completed in 2005 when the new Law on Broadcasting was adopted, which is fully harmonized with the

⁸ Article 16, paragraph 2, guarantees the freedom of speech, public address, public information and the free establishment of institutions for public information.

⁹ The Law on Broadcasting was adopted in 1997, followed by a new Law on Broadcasting dated 29 November 2005.

European Union legislative. The Law was followed only by changes and additions to the same Law on Broadcasting i.e. twice after the first enactment in 2005 and the last changes and additions were enacted in 2011” (Broadcasting Council, 2007: 25).

In this in-between period, some weaknesses still existed but new ones also appeared. In fact, despite the last changes and additions to the Law on Broadcasting, the Law in 2005 clearly specified that there is a complete ban for politically exposed persons to be media owners, however the changes to the law mainly referred to changes on the subject of who can be a media owner, the regulation of foreign capital and the manner of issuance of the media work licenses. Moreover, in 2010 the Government again tried to intervene and to adopt a new Law on Media that would regulate printed and electronic media outlets following the example of some European countries. For many, this regulation was considered to be an inappropriate way which is to violate unbiased journalistic reporting (OSCE, 2012: 5-7). This legislation project was officially announced by the Government also during the high-level discussions with the European Union. In early 2012, for the first time, the law was unofficially materialized as non paper text, an initial draft version, which was prepared by an expert team of the Ministry of Transport and Communications of the Republic of Macedonia. Considering all of the above, it is clear that the current Government establishment in the country is considering a thorough redefinition of the media system of the Republic of Macedonia, taking into account that the "scope of that redefinition, just by reviewing this non paper, infringes very strongly upon the rights and freedoms of the media and the public expression" (Ordanovski, 2012: 127-129).

3.2.2.3. Economic and political influence on the independence of the media

It is quite obvious that the general situation adversely affects the printed and electronic media outlets but it also affects the status of the journalistic profession in the Republic of Macedonia. The indicator of their current status is their employment status and monthly salary, as well as their social security. This overall economic-social status made the journalists vulnerable and subjective to certain economic offers and corruptive practices.

This is further reflected by the ownership concentration of the media outlet or by the forms of influence of the media owners on the media outlet itself. This refers to the transparency

of media ownership structure, which is one of the most important factors of the relationships of the inter-democracy and media and journalistic standards, and the same is deeply associated with objectivity, neutrality, facts and the hidden motives of the media outlet. Also, one "should keep in mind that today's media outlets in Republic of Macedonia, without exception, are part of entwined corporate ownership structures in which the interesting influences are very often invisible or difficult to identify" (Ordanovski, 2012: 52-53).

Namely, a number of active and former politicians and their closest family members or close relatives own different media outlets, and some of them own even very influential media outlets, revealing the non-applicability of the law regarding the conflict of interest. Although the law prohibits this, still, in reality it is very difficult or impossible to enforce such provision, because the same media owners use different techniques and methods, i.e. from establishment of subsidiary companies, to registering the companies to their friends and relatives (Broadcasting Council, 2012b). For example, with the closing of A1 TV, two commercial televisions TV Sitel and Kanal 5¹⁰ became dominant in broadcasting, and both televisions are owned and managed by the sons of the leaders of smaller political parties, members of governing establishments. "This situation is associated with the interests of owners of private media outlets which generally have financial and strategic interests to influence the political decision-making. Hence, they often have clear ideological positions and even personal political ambitions." (McQuail, 2005: 241).

In terms of economic pressures, it should be emphasized that "the total revenue generated by the commercial television stations broadcasting on national level (through terrestrial or satellite transmitter) amounts to 1.367,27 millions MKD. The highest revenue was generated by TV Sitel (587,49 millions MKD) and TV Kanal 5 (348,57 millions MKD). The sale of advertising time generated 95.46% of the total revenue" (Broadcasting Council, 2012: 6-8). Also, the public broadcasting service MRTV which is mainly financed from the budget of the Republic of Macedonia just recently was allowed to also broadcast commercial advertising. The EU Commission once again commented on this issue in the 2012 Progress Report, indicating that "there is still a concern that much of the advertising campaigns funded by the Government are aimed at media outlets who are supportive of the government" (European Commission, 2012).

¹⁰ after A1 TV closed its doors in 2011, these media outlets have generated the highest revenue from selling advertising time. (Broadcasting Council of Macedonia, 2012: 6).

The previous just confirms the fact that the Government is one of the biggest advertisers on the media market in Macedonia in the past years. Under the guise that the government ads are for the "benefit of everyone", the government remains to be the most frequent advertiser in the media outlets conducting ongoing media campaigns as well as target audience campaigns (Broadcasting Council, 2012). Considering the previous, the already strife-torn media market created a situation where the media outlets became dependent from the commercial pie that is being shared between multiple media outlets – the ones close to the government elite get most of the government pie of ads and commercials. This economic dependence from the state as advertiser directly affects the quality of the program as well as the level of reporting freedom, so consequently it affects the level of professionalism too, initiating moral erosion within the media outlets and among the journalists.

3.2.2.4. Status of the liberty and freedom of media

The transparency in terms of the media ownership structure has a great impact on the media freedom i.e. on the freedom of expression, and thus on the existence of real democracy, considering that the freedom of expression is a necessary precondition for a real democracy. This is being emphasized specifically due to the fact that "the functioning of pluralism is impossible without a "market of ideas", free communication of information, opinions, ideas. (Taskovska, 2004: 254)

In this regard, the Macedonian Constitution contains standard and well formulated frameworks for freedom of expression represented through norms. Simultaneously, Republic of Macedonia has ratified the relevant European and international legal documents which guarantee and govern the protection of freedom of expression, starting with the ratification of the European Convention for the Protection of Human Rights and Fundamental Freedoms in 1997. Also, Republic of Macedonia has accepted the European Convention "Television without Frontiers", which was ratified in 2003, and also participates in the preparations for harmonization with the latest Audiovisual Media Services Directive of the European Union. Moreover, Republic of Macedonia is among the small number of countries in South East Europe to have adopted the Framework Convention for the Protection of National Minorities, ratified in 1997, which refers

to providing equal access for national minorities to the media. At the same time, freedom of expression is guaranteed by the Law on Broadcasting to ensure "freedom of expression in broadcasting in accordance with the Constitution of the Republic of Macedonia and in accordance with the international treaties ratified and acceded by the Republic of Macedonia" (Broadcasting Act 2005, Art. 2).

Hence, in a normative sense, Republic of Macedonia has a satisfactory framework to guarantee and protect the freedom of expression. But what is the reality? It is "a condition that may need to be defined as "distorted freedom", i.e. a situation in which the media are not free enough in the areas in which under a democratic society, the media must be free, but on the other hand they are almost absolutely "free" in areas in which other countries have certain legitimate restrictions" (Taskovska 2004: 258-259). This has been pointed out by number of domestic and international organizations in recent years, especially during 2010, 2011 and especially 2012, expressing concern about the freedom of expression in the country. The organization "Reporters without Borders", in the summer of 2011, expressed concern about the media freedoms being violated in Republic of Macedonia. (Reporters without Borders, 2011) In confirmation of this, the Helsinki Committee for Human Rights of the Republic of Macedonia has issued a negative assessment of the situation with the freedom of expression and media in Macedonia, by saying that: "the freedom of the media is generally contaminated by the influence of the political parties in the editorial policy, which is more than obvious. Furthermore, the already provided recommendations in the European Commission Report are being brutally ignored, while the selective application of the Law on Broadcasting by the Broadcasting Council is the mode of work of this regulatory body "(Helsinki Committee, 2012: 8).

Also, the latest Report by the European Commission dated October 2012, stated that "the constitutional and regulatory framework for the freedom of expression is good, but consistent and transparent implementation needs to be provided, which is to be in line with the jurisprudence of the European Court of Human rights" (European Commission, 2012: 46). In this sense, "the constantly repeated comments in most of the reports by the European Commission for Republic of Macedonia refer to the political influence on the media and the journalists, to the impact of the government sponsored advertising on the editorial policy of the media, to the political pressures on the Broadcasting Council and on the Public Broadcasting Service MRT as

well as to the fact that sustainable funding for these two institutions has not yet been secured" (MIM, 2012: 7-8). This situation in the Macedonian media and journalism significantly affects the freedom of expression as a fundamental ideal which all media and journalists should strive to. The fact that the ideal has been impaired is confirmed by the results of the researches carried out by organizations that measure the index of freedom of expression and where according to the last ranking, Republic of Macedonia is placed on the 116th position (Reporters without Borders, 2013).

At the same time, despite the major objections and comments in the European Commission Progress Reports, the business community close to the government continues to buy media outlets, thus usurping the media scene which tends to inform and report in a unidirectional fashion and does not provide a complete and objective picture of the social processes in the country, but serves to promote government campaigns. There are also numerous examples of political and personal pressures and affairs in the Macedonian daily life which suggest that the media generally are not free enough in the performance of their tasks.

3.2.2. Conclusion

The media scene is being constantly under attack, criticized by the European Union and other reference institutions and activists, indicating that the media and the journalistic profession is constantly under pressure from political and economic elites. "Media ownership, the economic pressures, the lack of respect towards professional standards and the lack of ethics seem as dominant problems in the media scene in the Republic of Macedonia "(SEEMO, 2011.)

However, despite the stern assessments by the international and domestic community, it should be noted that in Republic of Macedonia, the establishment of new media outlets that are critical of the government is not being hindered. "It is an indisputable fact that Macedonia, as well as all other post-socialist countries, including the last five countries that became members of the European Union (Slovenia, Hungary, Czech Republic, Slovakia, Bulgaria), had problems with freedom of expression and in general with the public and media sphere. The pluralisation of the media sphere and the creation of market conditions and competition did not automatically contributed to the increase in the degree of freedom of expression, articulation, critical public

and participation of the citizens in the political processes. In Macedonia, freedom of expression was equated with the record number, but essentially inadequate number of media in accordance with the size of territory, the number of population and the economic potentials "(MIM, 2012: 9-10).

LITERATURE

- Bauer, A. Thomas (2007). *Open Society Media*. Zagreb: ICEJ.
- Donev, Dejan (2011). *Ethics in Journalism*. Skopje: Ss.Cyril and Methodius".
- European Commission (2012). Progress Report on Macedonia, 2012. Available at: http://www.sep.gov.mk/content/Dokumenti/MK/PR2012_MK3 (2). Pdf. (Accessed 03/02/2013)
- Helsinki Committee for Human Rights (2012). Quarterly report on human rights in the Republic of Macedonia from April to June, 2012. Available at: http://www.mhc.org.mk/system/uploads/redactor_assets/documents/147/quarterly_mk.pdf. (Accessed 02/02/2013)
- Ipsos Strategic Puls (2012). Public opinion regarding the electronic communications market in Macedonia. Available at: [www.aec.mk/index.php?option=com_docman & task = doc](http://www.aec.mk/index.php?option=com_docman&task=doc). (Accessed 02/17/2013)
- McQuail, Denis (2005). *Mass Communication Theory*. London: SAGE Publications.
- Macedonian Media Institute (2012). Media development indicators in Macedonia according to UNESCO. Available at: [http://www.mim.org.mk/index.php?option=com_k2 & view = item & id = 408: analiza-za-razvojot-na-mediumite & Itemid = 61 & lang = mk](http://www.mim.org.mk/index.php?option=com_k2&view=item&id=408:analiza-za-razvojot-na-mediumite&Itemid=61&lang=mk). (Accessed 03/02/2013)
- Norris, Pipa (2006). *The role of the free press in promoting democratization, good governance, and human development*. Harvard: John F.Kennedy School of Governance.
- OSCE (2012). Report of the international mission on media freedom in Macedonia. Available at: <http://www.znm.org.mk/drupal-7.7/sites/default/files/Izvestaj%20sloboda%20na%20mediumi%20makedonski%20maj%202012.pdf>. (Accessed 02/08/2013)
- Ordanovski Saso (2012). *Trapped Democracy*. Skopje: NGO "Transparency Macedonia".

- Reporters without Borders (2011). Disastrous summer for Macedonian media, with TV station and three dailies closed. Available at: <http://en.rsf.org/macedonia-disastrous-summer-for-macedonian-17-08-2011,40797.html>. (Accessed 02/10/2013)
- Reporters without Borders (2013). Press Freedom Index 2013 Programme. Available at: http://fr.rsf.org/IMG/pdf/classement_2013_gb-bd.pdf. (Accessed 02/01/2013)
- SEEMO (2011). Report on the SEEMO Press Freedom mission to the Republic of Macedonia / Former Yugoslav Republic of Macedonia 4-6 October 2011, Available at: <http://seemo.org/files/Media%20Scene%20in%20Macedonia%20edited.pdf>. (Accessed 02/02/2013)
- Broadcasting Council of Macedonia (2012). Analysis of the broadcasting market in 2011. Available at: <http://www.srd.org.mk/images/> (Accessed 02/18/2013).
- Broadcasting Council (2012). Analysis of tracking the ownership of broadcasters and their responsibilities in terms of transparency of ownership in the period from 01 July to 31 December 2012. Available at: http://www.srd.org.mk/index.php?Option=com_content&view=article&id=93&Itemid=76&lang=mk. (Accessed 02/13/2013)
- Broadcasting Council of the Republic of Macedonia (2007). Strategy for development of broadcasting in the Republic of Macedonia for the period 2007-2012. Available at: http://www.srd.org.mk/images/stories/publikacii/strategija_za_razvoj_na_radiodifuznata_dejnost_2007_2012.pdf. (Accessed 02/08/2013)
- Taskovska, Dobrinka (2004). *The sun becomes (remains) a star*. Skopje: Faculty of Law.
- Constitution of the Republic of Macedonia. Available at: <http://www.dzr.mk/Uploads/ustavrm.pdf>. (Accessed 02/02/2013)
- Broadcasting Law dated 1997. Available at: <http://www.pravo.org.mk/documentDetail.php?Id=342nd> (Accessed 03/02/2013)
- Broadcasting Law dated 2005. Available at: http://www.srd.org.mk/images/stories/legislativa/Zakon_za_radiodifuznata_dejnost_2005.pdf. (Accessed 03/02/2013)