

# **Media Reforms: Great Expectations - Little Achievement**



M S 2  
e k 0  
t a o  
m o 2  
o r j 0  
p h e  
o s  
i s





**ROYAL NORWEGIAN EMBASSY**

*Belgrade*

This project is financially supported by the Royal Norwegian  
Embassy in Belgrade [www.norway.no/en/serbia](http://www.norway.no/en/serbia)

CIP - Каталогизација во публикација  
Национална и универзитетска библиотека «Св. Климент Охридски», Скопје

316.774(497.7)»2017/2020»(047.31)

BLAŽEVSKI, Teofil

Media reform [Електронски извор] : on the eve of a new media enslavement / authors  
Teofil Blaževski and Goran Rizaov. - Skopje :  
Metamorphosis Foundation, 2020

Начин на пристапување (URL): <https://www.metamorphosis.org.mk>. - Текст во PDF  
Формат, содржи 11 стр. - Наслов преземен од екранот. - Опис на изворот на ден  
18.03.2020. - Фусноти кон текстот

ISBN 978-608-263-031-1

1. Rizaov, Goran [автор]  
а) Медиуми – Состојба – Македонија – 2017-2020 – Истражувања

COBISS.MK-ID 112420618

Without a strategy for media development, with no idea of how to achieve legal approach for objective media without it being understood as interfering with editorial policy, with permissiveness to the demands of private television viewing, the Government, managing public money in the media space, is in danger of creating a major problem, which would be a “grandiose” replay of endangered media freedom and freedom of expression and in which the same media corruption could occur as in the period from 2008-2015, only this time in another form.

**Authors: Teofil Blaževski and Goran Rizaov**

□ *The main recommendations from last year’s survey on the extent of media reform in the Republic of North Macedonia, which emerged from discussions with experts, a year later have not been met, and what is more, there is also some regression.*



The recommendation for a comprehensive media strategy has not been met, nor is it thought of by any relevant political entity in the country, either in power or in opposition.<sup>1</sup> As a result, more problems emerge with broadcasters, print media, digitization of media space, online media, convergence of traditional and digital media, regional and local media, marketing and distortion caused by inserting large amounts of public money into the media, with the development or collapse of public service broadcasters, etc. All these problems are simply solved by palliative ineffective measures that sometimes do not solve any of the existing problems and additionally cause more.

At the same time, politics does not show strong will to get its hands off the media, i.e. to give up its intention to control or at least, to put it mildly, “flirt” with the media, especially with those that are most viewed, most heard, or most read. The difference is that instead of this being implemented by one ruling party, as it was during the rule of the governments of Nikola Gruevski, now the responsibility is shared by all parliamentary parties with their joint decision to finance the media from the budget, with public money, but under another form. Instead of providing money for advertising government policies, this is now done by a legal provision to monitor the pre-election campaigns of the parties for local, parliamentary or presidential elections, but also for the 2018 referendum!?

<sup>1</sup> At present there is only one Regulatory strategy for the development of audio and audiovisual activity from 2019 to 2023, developed by the main regulatory body – the Agency for Audio and Audiovisual Media Services (AAVMU) – (available at <https://bit.ly/2UKAz9N>)

2 European Commission - North Macedonia 2019 Report – p.29 – (available at <https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20190529-north-macedonia-report.pdf>)

At the same time - the trend of advertising government policies has not been stopped, and this time continues with money from international organizations, as the government has pledged not to use money from the budget. Neither the legal norm of home law nor the verbal ban on public money in the media at the local level has been respected. This is done through local government or public local communal enterprises. At a state level, it is not known how much money is being diverted for the media through publicly owned companies or state-owned joint stock companies, as many entities refuse to answer this question.

When it comes to the public service, however, there is a visible will of the ruling parties (1) not to enable full financial independence nor (2) full editorial independence. Much better in this regard is the state agency MIA, which has a larger budget for 10 million denars, increased news production that, according to data available to management only, cover 65 percent of the country's news market.

Considering the facts that the media community still faces the problem of self-censorship,<sup>2</sup> that it still faces closed institutions that do not comply with the Law on Access to Information, that journalists are still dominated by low personal incomes and other bad working conditions, it can be concluded that things in the area of media freedom have taken a step backwards, rather than a step forward. Although freedom of expression in general is widely respected and not endangered, there can be no room for possible endangerment if the government's action plan for fighting misinformation is left uncontrolled by the NGO sector and the media community.

The only areas where significant progress has been made are the subsidies for the print media (although more precise rules are needed), the Online Media Register through the self-regulatory body CMEM and a small signal to improve the working conditions of some journalists, after the state news agency MIA agreed with the Independent Union of Journalists and Media Workers - SSNM to sign a collective agreement, which for the first time has officialized a 36-hour working week for journalists and another set of conveniences.

## The problem with the diversity of media offering

Failure to comply with the laws and bylaws, i.e. first of all, lack of media market development strategy also contributes to the lack of diversity of media content in private electronic media. This is also acknowledged by the regulator – the Agency for Audio and Audiovisual Media Services in the regulatory strategy itself: “All five state-level televisions through terrestrial transmitters and four state-level televisions through a public electronic communications network operator are predominantly entertaining. Two of the four satellite televisions broadcast general format programming services in which the types of programs perform all three media functions, one broadcasts a program service of a general informative format and the other broadcasts mostly entertaining general format.”<sup>3</sup>

Although one of the experts believes that the Agency is not doing enough in this part, in terms of pressing and controlling the media to adhere to the diversity of the program format under the licenses, i.e. the permits for broadcasting, the fact is that this mechanism, the repressive one, has been taken away from the Agency in 2013. Because of the then-amendments of the law, the Agency was required to automatically extend the licenses of all broadcasters not only until 2016, when they were issued, but for another nine-year period - until 2024.

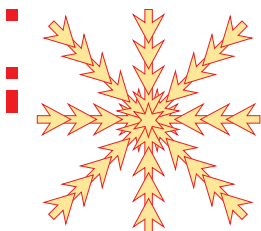
□ *In addition, the Agency in the Strategy recommends lowering the prices for specialized program services, as the license for this type has the highest coefficient, i.e. the highest price.*

<sup>3</sup> Agency for Audio and Audiovisual Media Services – March 2019 - Regulatory strategy for the development of audio and audiovisual activity for the period 2019 – 2023 – (available at <https://bit.ly/2UKAz9N>)

## Proportionally, there is more public money in the media now, than in the time of Gruevski

When the State Commission for Prevention of Corruption recently warned of the dangers posed by the system of financing party media campaigns during the election process, it was only the last signal to the public that neither politicians nor the general public were excited about. Media experts and associations have long been warned about this danger and this has also been noted in our previous report.<sup>4</sup>

<sup>4</sup> Metamorphosis Foundation – 2019 – Media Reform- never enough – (available at [https://metamorphosis.org.mk/wp-content/uploads/2019/03/BDT-medijumi\\_MK-FINAL.pdf](https://metamorphosis.org.mk/wp-content/uploads/2019/03/BDT-medijumi_MK-FINAL.pdf))



5 State Commission for Prevention of Corruption – 2019 – National Strategy 2020-2024 – p.48 - (available at: <https://www.dksk.mk/index.php?id=118&L=348%27>)

6 This sum calculates the money the media received for the campaign for the 2019 presidential election, the money they will receive for the campaign for the parliamentary elections on 12 April 2020, which were announced to be up to 6.5 million euros, and for the already paid print media subsidies for expenses in 2019.

7 Parliament of RNM - 16 February 2020 - Amendments to the Electoral Code... (available at <https://www.sobranie.mk/materialdetails.nsp?materialId=3019a3f3-3689-4d2e-972b-c29fc47f6d99>)

8 META – 27 January 2020 – “At least 12.7 million euros of public money in the media ...” - (available at <https://meta.mk/na%d1%98malku-127-milioni-evra-%d1%98avni-pari-vo-mediumite-do-kra%d1%98ot-na-godinata/>)

The State Commission for Prevention of Corruption says that the legal solution on providing budget money for media campaigns of the entities in the elections is dangerous and may lead to corruption phenomena in the media space: “In particular, the budgetary financing of a paid political campaign program carries a potential risk of corruption and the creation of clientelistic relationship”<sup>5</sup>

At the same time, anticorruption advocates in the National Strategy 2020-2024 recommend abolishing the legal financing of political campaigns in the media through the budget in the election period. They also recommend introducing much more precise measures and control mechanisms for subsidizing print media.

How dangerous is the situation with public money in the media is also shown by the fact that in one calendar year, from spring 2019 to spring 2020, together with the parliamentary elections in North Macedonia scheduled for 12 April, the media could have been paid about 11 million euros from the budget.<sup>6</sup> All this in the form of media coverage of election campaigns. By comparison, during the previous government headed by Nikola Gruevski, no more than 3.2 million euros were paid annually between 2010 and 2017 (without election campaigns that were not then paid from the budget), but then in the form of advertising government policies. Finally, at the last moment, on the day of the dissolution of Parliament, this amount has been reduced by the amendments to the Electoral Code - ad hoc (Art. 76d, paragraph 4),<sup>7</sup> which stipulates that for covering the media campaign for parliamentary elections “only” 3.6 million euros would be spent, bringing the initial estimate of 11 million total in one calendar year to 7.4 million, which is again more than twice the time of Nikola Gruevski.

All of this has already been analyzed by media organizations, and more recently by the META News Agency, part of the Metamorphosis Foundation, whose analysis provides a comprehensive picture of the problem.<sup>8</sup>

Apart from the mentioned budget money that was passed by a unanimous decision by the parliamentary parties to amend the Election Code in 2018, it is not yet known how much money on media are spending the local self-governments, as well as publicly owned companies or state-owned joint stock companies. The Association of Journalists of Macedonia (AJM) has been conducting research on this topic for several years, but most of the municipalities and almost no public companies want to respond to the questionnaire submitted under the Law on Access to Public Information. 43 municipalities out of the 80 that responded,

9 AJM, SSNM, CMEM – 27 September 2018 – “Amendments to the Electoral Code jeopardize the work and freedom of the media” – (available at <https://bit.ly/2Vm351A>)

10 Metamorphosis Foundation – April 2019 – “Direct allocation of public money in the media leads to control...” (available at [https://metamorphosis.org.mk/aktivnosti\\_arhiva/direktno-dodeluvanje-javni-pari-vo-mediumite-vodi-kon-kontrola-na-mediumite/](https://metamorphosis.org.mk/aktivnosti_arhiva/direktno-dodeluvanje-javni-pari-vo-mediumite-vodi-kon-kontrola-na-mediumite/))

including the largest, confirmed that they have spent about 500.000 euros on local or regional media.

Stating two more facts: that the Government generally endorses the idea of funding regional and local media through some kind of a Fund (an idea put forth by a group of regional media), and that there are rumors from relevant sources that commercial broadcasters also want extra public money for coverage of election campaigns, then the problem of public money in the private media sector may become even greater, and not just a replay of 2008-2016, when relevant domestic and foreign reports talked about captured and corrupted media by the then government.

□ Besides the Journalists’ associations that are against cash in the media,<sup>9</sup> against this is also part of the civil society, for example the Metamorphosis Foundation, which came out with a special stance on the issue last year.<sup>10</sup>

## Security problems remain, but defamation lawsuits are on the decline

In general, the problem of journalists’ security has improved, but not enough to say that this issue in our state is closed. The number of attacks in the last three years, following the change of government, has been reduced, and the only prison sentence for attacking journalists has been issued during this time. In 2020 there have been criminal charges of threatening journalists. But this does not seem to be enough, as old cases of about 53 attacks on journalists from 2014 to 2017 have remained largely unexplained. According to AJM statistics, from the beginning of 2019 to the beginning of 2020 there have been 7 attacks on journalists, 6 of which are verbal attacks and only one physical, but not a very serious one.<sup>11</sup>

When it comes to the threats from the state, one concern may be the incident when in September 2019 the Public Prosecutor’s Office decided to file a charge for revealing official secret for journalist Aleksandar Mitovski from the Infomax portal.<sup>12</sup> InfoMax is an affirmed opposition portal in which you can often see a journalistic text that is not journalistic by all standards, which is also evidenced by a number of cases brought before the Council of Media Ethics of Macedonia. But the criminal charge was filed due to the publication of parts of a statement made by the prosecution to a person involved in a high-profile corrup-

11 AJM – Violations of journalists’ rights, January 2020 (available at: <https://bit.ly/37MiPhe>)

12 Public Prosecutor’s Office of RNM – Announcements – A charge has been filed (available at <http://jorm.gov.mk/podneseno-obvinenie-za-oddavane-sluzh/>)

tion case. At the same time, the same prosecution made no special effort or filed criminal charges against the perpetrator who provided the journalist with material, explaining that they do not have enough resources!?

□ *During the preparation of this report in February, the case was resolved by a suspended sentence in a period of 6 months in early March if the perpetrator did not repeat the crime within a specified timeframe. This has sparked outrage among some journalist associations and the public, and the common view is that the mole should have been prosecuted, and not the journalist.<sup>13</sup>*

On the other hand, the previous problem with the high number of defamation and insult lawsuits filed by politicians seems to have been overcome according to the number of lawsuits from 2017 to date, which is in a steady downward trend.<sup>14</sup> It may not be certain, but there is some indication that in 2019 the number of complaints from politicians to the self-regulatory body CMEM increased and they came in second from the total number of complaints per year, down from fourth place they occupied in 2018.<sup>15</sup> It can be deduced from this thesis that instead of lawsuits before court, politicians are largely content with lawsuits before the self-regulatory body.

13 META – 4 March 2020 – Journalist associations condemn the ... (available at <https://bit.ly/2vIHHZY>)

14 META – 19 February 2020 – Journalists upset about... (available at <https://meta.mk/zakanite-za-tuzhbi-za-kleveta-gi-voznemiri%d1%98a-novinarite/>)

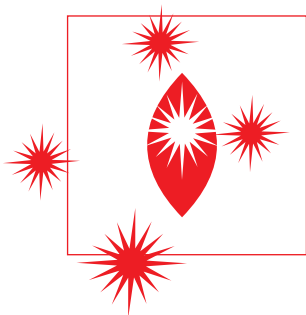
## **The public service is out – MIA is in an improved situation**

In addition to the newly opened and recurring problem with budgetary money in the media, the media associations, with concern, can conclude about the stalling of expected reform in the public service, MRT or after the change of the state constitution, NRT - National Radio Television. The necessity for public service reform has been highlighted since the special reports on the political crisis in Macedonia by European Commission member Reinhard Priebe. Public service reform has also been the topic of the “Pržino negotiations” for overcoming the political crisis in 2015 and 2016, and it is also mentioned as a weak point in all European Commission reports on the country’s progress.

With the change to the Law on AAVMU in 2018, and following previous lengthy consultations and an inclusive process led by the Government at the time, two key changes were to enable NRT reforms: changing the selection process in the NRT Program Board and changing the way NRT is funded. Both of these changes required editorial independence and financial independence. To date, February 2020,

15 CMEM - Statistical overview of 2019 Complaints Commission decisions – (available at <https://semm.mk/komisija-za-zalbi-4/statistichki-pregledi/690-2019>)





neither the first nor the second has been implemented, and the blame for this can be mildly defined as underperformance by both the executive and the parliamentary authorities.

The competition for selecting a new Programming Council of the NRT was opened in early 2019. For incomprehensible reasons and mutual accusations by the parties, the nominated candidates were never called for interview in the Parliamentary Election and Appointment Committee, the first stage of the election process (the same happened to candidates for new members of the main regulatory body AAVMU). The election was then to result in a new competition for the election of the General Director and other functions by hierarchy, and to secure the editorial independence.

□ *When it comes to financial independence, the legislative amendment provided for funding of 0.8 to 1 percent of the state's budget revenues in the previous budget year. This financing with the 2020 budget should have been 0.9 percent, and by 2021 it should reach 1 percent for the broadcasting activity in the country, with the NRT receiving 75 percent of those funds.*

Instead, the government refers to only one paragraph in this provision which states that this money will be received by the broadcasting services only if there is sufficient budget allocation for equitable distribution to other budget users (paraphrased), and thus provides for 2020 the same funds as for 2019, or 0.8 percent in total. Thus, according to budget and NRT data, over two years the government has decided to cut just over 13 million euros in total.<sup>16</sup>

The competent minister himself admitted in an interview with META on February 28, published two days later<sup>17</sup>, that it is not a lack of sufficient budgetary funds, but a conscious decision by the Government because the opinion was that percentage of funds will not be given to an unreformed public service.

In addition, because employees due to poor legal interpretation by the authorities belong to the group of administrative officers, i.e. public sector employees, the systematization of the NRT or new employment depends on the approval of the competent ministries - MISA and the Ministry of Finance, so the number of employees in the public service is constantly decreasing and the age structure is over 50 years. Currently, the NRT has less than 800 employees, the lowest number in the last 30 years, and some program services, such as the one on the Macedonian Radio, could be closed, warned the General Director of the Public Broadcasting Service.<sup>18</sup>

16 NRT – 15 January 2020 – Financial plan for amending the MRT Financial Plan for 2020 – (p. 3 and 4) – (available <https://bit.ly/39Op2dS>)

17 META – 02.03.2020 – Манчевски: Не прифативме политички пазар со ВМРО-ДМНЕ за МРТ и АВМУ – (достапно на <https://meta.mk/manchevski-ne-pri-fativme-politichki-pazar-so-vmro-dpmne-za-mrt-i-aavmu/>)

18 2 February 2020 – “MRT is complaining on the small number of employees...” (available at <https://bit.ly/39KiVan>)



19 MIA – 4 February 2020 – MIA and SSNM signed a Collective Agreement (available at <https://mia.mk/mia-i-ssnm-potpishaa-kolektivni-dogovor/>)



The only second state-owned media house is the MIA news agency, which is a state-owned joint stock company. With about a hundred employees, most of them journalists and cameramen, MIA covers about 65 percent of the news market in RNM (data available to the MIA leadership). There have been no significant public complaints about the impartiality and professionalism of MIA news, nor has the CMEM ever debated about any complaint directed towards MIA.

Employees' salaries are within the national average, and recently their social position is at a higher level thanks to the first Collective Agreement between MIA and the Independent Union of Journalists and Media Workers, which, among other things, has officialized a 36-hour working week.<sup>19</sup> MIA's annual budget amounts to about 55 million denars (just under one million euros), with most of the revenue coming from the state.

## Register of online media outlets in the competence of the self-regulatory body



Although for Europe and the democratic world the question of whether online media should be subject to regulation or self-regulation has already been answered, in North Macedonia there have always been and still are demands for online media to be regulated in one of the laws on media. Such proposals came from the current executive and parliamentary authorities, and even from owners and editors of online portals, but were all prevented by fierce opposition from journalist associations, which always pointed to the danger that regulation was the first step towards limiting editorial freedom and freedom of expression in the online space.

Finally, instead of the media register belonging to the state or the regulatory body, following the example of some Western Balkan countries, the self-regulatory body CMEM together with the Association of Journalists of Macedonia presented the first Online Media Registry in the country.<sup>20</sup> This register is voluntary and is based on prior conditions requested by the CMEM, all related to compliance with ethical and professional standards in the country.



20 CMEM – 19 December 2019 – AJM and CMEM presented the Register ... (available at <https://www.semm.mk/soopshtenija/682-znm-i-semm-go-pretstavija-registarot-na-profesionalni-onlajn-mediumi>)

The government welcomed the registry and announced that it will use it if it needed to issue accreditations or if the issue of subsidies for this part of the media community was raised in the future. This has made a small breakthrough in self-regulation as a way of addressing ethical



**Methodology** standards in journalism. There are currently about 90 online editorials from North Macedonia in the Register.

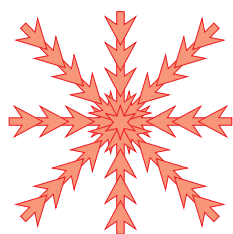
This research by the Metamorphosis Foundation, within the project implemented by the Center for Democratic Transition in Montenegro (CDT), covers five areas: elections, judiciary, fight against corruption and organized crime, media and public administration reform, with each area covered in a separate document. This policy paper covers the area of public administration reform.

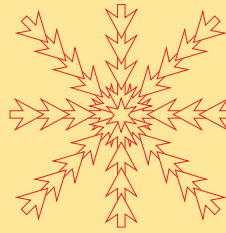
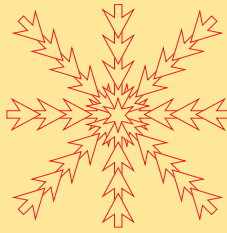
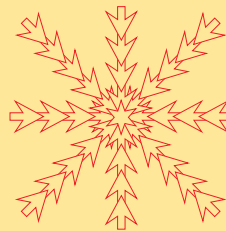
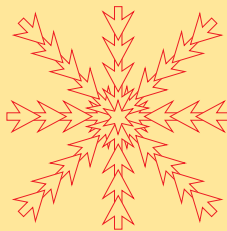
The areas consist of a number of sub-areas related to the regulation of the strategic and legal framework, institutional, administrative and material capacity, as well as the practically achieved results.

The analysis is based on the fulfillment of the criteria created by collecting the assessment of the indicators and the issues related to them by experts monitoring the implementation of EU standards, as well as on the basis of an analysis of normative and institutional reforms and their practical results. In this analysis, we would like to express gratitude to the following experts: Snežana Trpevski, PhD, Head of the RESIS Institute, Dragan Sekulovski, Executive Director of the Association of Journalists of Macedonia and Marina Tuneva, PhD, Executive Director of the Council of Media Ethics of Macedonia.

The CDT made an assessment of the progress made in meeting political criteria for the first time in 2017. Then, with the help of Dr. Martin Bruce's methodology, indicators were developed for each of the areas mentioned, which serve as a measure to assess the situation in the areas and, in fact, represent an authentic understanding of what the EC is requesting from each country as progress in a given area. Following the first assessment, the CDT in 2018 has expanded the research focus to other countries in the region, and together with colleagues from CRTA (Serbia), the Metamorphosis Foundation (Macedonia), Why Not? (Bosnia and Herzegovina), the methodology has been refined, and on the basis of this methodology are conducted such researches.

The basics for the development of the indicators are the key assessments and recommendations from the European Commission's reports, but also other international reports, comparative studies and research, action plans, as well as numerous international standards and practices and other reference materials. The total number of indicators for all areas is 168, with several indicators added this year in each area in terms of gender representation, budgeting and overall policies.





## About the Metamorphosis Foundation

Metamorphosis Foundation for Internet and Society is an independent organization operating in the Republic of North Macedonia and in our wider European home. Our team is comprised of dedicated activists who advocate for democracy, united by a common goal and values of mutual accountability, open communication and an unwavering commitment to universal human rights and democracy.

We strive for a society in which engaged and aware citizens actively use innovative tools to fulfill their civil rights and responsibilities, citizens who unconditionally influence the authorities and demand accountability, thereby ensuring democratic, accountable and transparent governance.



ул. Апостол Гусларот 40, 1000 Скопје,  
Република Северна Македонија  
Тел. +389 23109325

[info@metamorphosis.org.mk](mailto:info@metamorphosis.org.mk)

[www.metamorphosis.org.mk](http://www.metamorphosis.org.mk)