

## Media Pluralism Monitor: lessons have been learned, but concern remains for Bulgarian media

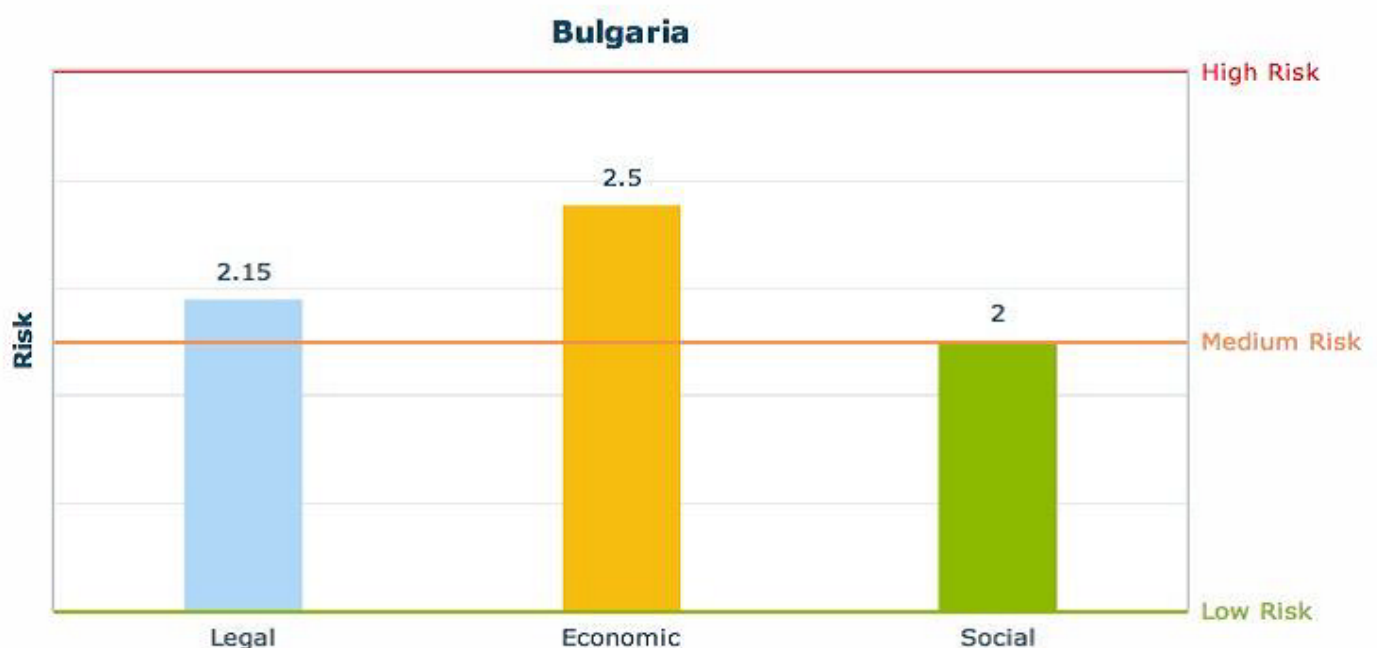


*Nelly Ognyanova, Professor in Media Law at Sofia University, and Orlin Spassov, Associate Professor in Media and Communication Studies at Sofia University and Executive Director of Media Democracy Foundation, explain the results of the pilot implementation in Bulgaria of the **Media Pluralism Monitor**, a monitoring tool which aims to assess risks to media pluralism in the EU Member States and identify threats to such pluralism.*

The condition of the media environment in Bulgaria makes it a special case. The country ranks lowest among European Union Member States in the World Press Freedom Index of Reporters without Borders for 2015 (106th place in the overall ranking). This trend shows no sign of improving, with media concentration and links between power, business and media disrupting the normal operation of the market, emerging as a main problem in recent years.

These developments are confirmed by Bulgaria's active participation in the European Citizens Initiative on media freedom (ECI). The country was the first to achieve the number of signatures needed in support of the ECI demands, which are for the evaluation of media pluralism on a regular basis and not only upon merging and acquisition of media undertakings.

Bulgaria's participation among the nine countries involved in the pilot project Media Pluralism Monitor (MPM) 2014 has contributed to the systematization and evaluation of risks. In general, the risks to media pluralism in Bulgaria are divided as follows: 32% (11) of the indicators fall within the zone classified as high risk; 53% (18) indicate medium risk, and 15% (5) refer to low risk.



Average level of risk for each type of indicator – Source: <http://monitor.cmpf.eu.eu/results-2014/bulgaria/>

## Legal challenges

Nine of the legal indicators point to a medium risk, seven to high, and four to a low risk for media pluralism in Bulgaria.

Communication rights are explicitly stipulated in the country's constitution. Bulgaria has signed and ratified relevant Treaty obligations with no significant exemptions. Freedom of expression online is generally respected. The media regulatory environment is generally accepted as meeting international standards, but observers point to a continuing trend of biased implementation of the rules protecting media freedom. The risk of political and economic influence over the regulatory bodies – Council for Electronic Media, Communications Regulation Commission and Commission for the Protection of Competition – varies, but their independence is generally assessed as problematic.

The Radio and Television Act regulates media pluralism as a policy objective. However, it concerns public service media only, aiming to ensure that public service media shall reflect different ideas and beliefs in society. Additionally, the Constitutional Court recognizes media pluralism as an intrinsic part of media freedoms, but the lack of effective legal remedies against media concentrations and non-transparency of media ownership remain key problems. According to the European Commission's first EU Anti-Corruption Report, media ownership in Bulgaria is increasingly concentrated, compromising editorial independence.

The non-transparent media ownership and the concentration of media outlets within a few conglomerates are the weakest feature of Bulgarian media, and the problem has been increasingly aggravated. Hidden forms of media ownership and control accompany the process of liberalization of the Bulgarian media market. No sector-specific competition measures are envisaged in Bulgarian law.

## Economic factors

There are also significant economic risks to media pluralism in Bulgaria. Four out of six economic indicators showed a high-risk level.

Concentration of media ownership is very high. The major 4 owners in the television sector have an aggregated market share (based on advertising revenue only) of 93.35%. The major 4 owners of daily newspapers have an aggregated market share of 79.7%. The major 4 ISPs have an estimated market share of above 50%. (Market shares of radio station ownership cannot be evaluated.)

Audience and readership media concentration is also very high. In television the major 4 owners have an audience share of above 70%. The aggregated audience share of the major 4 owners in the radio sector is 83.16%. The major 4 newspaper owners have an estimated readership share of between 25-49% and the subscription share of the major 4 ISPs is estimated to be above 50%.

A precise evaluation of cross-ownership is difficult to track due to deficiencies of data. However, the available data show that the major 8 owners have a market share of above 70% across the different media sectors.

Minority and community media development is another high-risk factor. There are no television or radio channels dedicated to ethnic, linguistic or national minorities. Existing minority newspapers number very few: far less than the proportional size of the minority population.

## Problems in the socio-political domain

Generally, there are medium socio-political risks to media pluralism in Bulgaria. All eight socio-political indicators were judged medium risk.

Policymaking in promoting access to media content and services for special needs groups is underdeveloped. As a whole, access to television content by people with hearing disabilities is limited.

The evaluation of political bias in the media during the European Parliament election campaign in May 2014 indicates that the selected media represented the main political players in a relatively balanced manner. The share of one-sided portrayal of political players in the selected media items is low (under 25%).

Two alternative Codes of Ethics co-exist in Bulgaria. As a result, the ethical standards are split according to the interests of different media groups. In practice, professional and trade union protection of journalists is very ineffective. With a few exceptions, there is a lack of confidence in the organizations with such goals. Instead of turning to the trade unions, journalists are increasingly looking for support and protection directly from the NGO community.

## The long road ahead

One of the main problems for the implementation of the MPM in Bulgaria is the lack of sufficient data for key indicators. For example, data on political affiliation of media owners are generally insufficient. There is also a lack of transparency of media ownership (especially in the press). It is difficult to precisely evaluate the market shares based on the total revenues of the media companies operating in Bulgaria. Such deficits hinder the opportunities for an objective analysis and for normal market operation of the media. Quite often, important decisions are taken on a subjective basis and after exerting influence on owners and journalists.

Although serious, Bulgaria's problems are not isolated. In terms of risks to media pluralism, the MPM ranks this country similarly to Greece, Hungary and not too far from Italy. Some of the common problems are attributable to structural typologies. Others, however, are recognized as more specific. Therefore, the future measures for improvement of the media environment should strike a balance between more universal solutions at all-European level and initiatives of an expressly local nature.

There were expectations that the new Government Program for Sustainable Development of the Republic of Bulgaria 2014-2018 would include measures for monitoring, evaluation and control of medial pluralism, but nothing to this effect has been observed so far.

The Bulgarian review was conducted by the Media Democracy Foundation in Sofia, Bulgaria, and coordinated by the Centre for Media Pluralism and Media Freedom, European University Institute in Florence, Italy. More details about specific weaknesses of Bulgaria's media scene can be found in the executive summary of the study.

*This post gives the views of the authors and does not represent the position of the LSE Media Policy Project blog, nor of the London School of Economics and Political Science.*

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