



Monitoring Media Pluralism in the Digital Era: Application of the Media Pluralism Monitor in the European Union, Albania and Turkey in the years 2018-2019

Country report: Croatia

Pasko Bilic, Institute for Development and International Relations

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Centre for Media Pluralism and Media Freedom
Robert Schuman Centre for Advanced Studies

Research Project Report
RSC / Centre for Media Pluralism and Media Freedom
QM-01-20-142-EN-N
Published in July 2020

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The Centre for Media Pluralism and Media Freedom is co-financed by the European Union. This publication reflects the views only of the author(s), and the Commission cannot be held responsible for any use which may be made of the information contained therein.

TABLE OF CONTENT

| | | |
|------|--|----|
| 1. | About the project | 5 |
| 1.1. | Overview of the project | 5 |
| 1.2. | Methodological note | 5 |
| 2. | Introduction | 7 |
| 3. | Results from the data collection: assessment of the risks to media pluralism | 8 |
| 3.1. | Basic protection (45% - medium risk) | 8 |
| 3.2. | Market plurality (69% - high risk) | 10 |
| 3.3. | Political independence (58% - medium risk) | 11 |
| 3.4. | Social inclusiveness (65% - medium risk) | 13 |
| 4. | Pluralism in the online environment: assessment of the risks | 15 |
| 5. | Conclusions | 17 |
| 6. | References | 19 |

Annexe 1. Country Team

Annexe 2. Group of Experts

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1. About the project

1.1. Overview of the Project

The Media Pluralism Monitor (MPM) is a research tool designed to identify potential risks to media pluralism in the Member States and Candidate Countries of the European Union, and considering both online and offline news environments. This narrative report has been produced within the framework of the implementation of the MPM carried out in 2019, under a project financed by a preparatory action of the European Parliament. The implementation was conducted in 28 EU Member States, Albania and Turkey with the support of a grant awarded by the European Union to the Centre for Media Pluralism and Media Freedom (CMPF) at the European University Institute.

1.2. Methodological note

The CMPF partners with experienced, independent national researchers to carry out the data collection and to author the narrative reports, except in the case of Italy where data collection was carried out centrally by the CMPF team. The research is based on a standardised questionnaire and apposite guidelines that were developed by the CMPF.

In Croatia the CMPF partnered with Pasko Bilic (Institute for Development and International Relations), who conducted the data collection, scored and commented the variables in the questionnaire and interviewed relevant experts. The report was reviewed by CMPF staff. Moreover, to ensure accurate and reliable findings, a group of national experts in each country reviewed the answers to particularly evaluative questions (see Annexe II for the list of experts).

Risks to media pluralism are examined in four main thematic areas, which are considered to capture the main areas of risk for media pluralism and media freedom: Basic Protection, Market Plurality, Political Independence and Social Inclusiveness. The results are based on the assessment of a number of indicators for each thematic area (see Table 1 below).

| Basic Protection | Market Plurality | Political Independence | Social Inclusiveness |
|---|--|---|--|
| Protection of freedom of expression | Transparency of media ownership | Political independence of media | Access to media for minorities |
| Protection of right to information | News media concentration | Editorial autonomy | Access to media for local/regional communities and for community media |
| Journalistic profession, standards and protection | Online platforms concentration and competition enforcement | Audiovisual media, online platforms and elections | Access to media for people with disabilities |
| Independence and effectiveness of the media authority | Media viability | State regulation of resources and support to media sector | Access to media for women |
| Universal reach of traditional media and access to the Internet | Commercial & owner influence over editorial content | Independence of PSM governance and funding | Media literacy |

Table 1: Areas and Indicators of the Media Pluralism Monitor

The Monitor does not consider the digital dimension to be an isolated area but rather as intertwined with traditional media and existing principles of media pluralism and freedom of expression. Nevertheless, the Monitor allows for an extraction of a digital-specific risk score and the report contains a specific analysis of risks related to the digital news environment.

The results for each domain and indicator are presented on a scale from 0 to 100%. Scores between 0 and 33% are considered low risk, 34 to 66% are medium risk, while those between 67 and 100% are high risk.

On the level of indicators, scores of 0 were rated 3% and scores of 100 were rated 97% by default, to avoid an assessment of total absence or certainty of risk.

Disclaimer: The content of the report does not necessarily reflect the views of the CMPF or the EC, but represents the views of the national country team that carried out the data collection and authored the report. Due to updates and refinements in the questionnaire, the MPM2020 scores may not be fully comparable with MPM2017 ones. For more details, see the CMPF report on MPM2020, soon available on: <http://cmpf.eui.eu/media-pluralism-monitor/>.

2. Introduction

Croatia is a country of approximately 4.3 million inhabitants situated between Central Europe, the Mediterranean and Southeast Europe. The main spoken language is Croatian. Croats make up more than 90 percent of the population. The country is multicultural with a diverse minority population of 22 constitutionally recognized minorities. The main is Serbian with 4.4 percent followed by Bosnians (0.73%), Italians (0.42%), Albanians (0.41%), Roma (0.40%), and Hungarians (0.33%). An influx of refugees from Africa, Syria and Iraq moved across the Western Balkan Route in late 2015 and 2016. The majority used the country as a transit route to Western European countries.

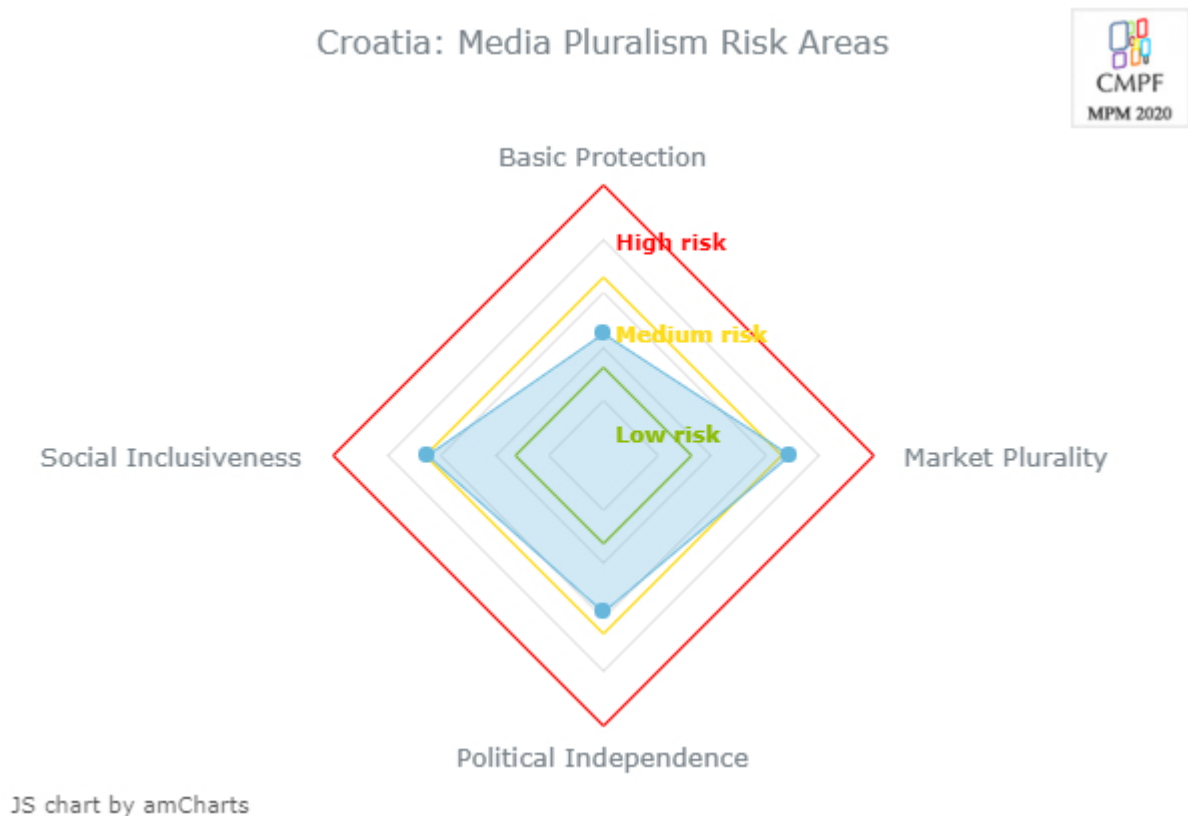
In 2019, the country GDP grew at the rate of 4.1, 2.4, and 2.9 percent in the first, second, and third quarters respectively (Croatian Bureau of Statistics, 2019). The countries' credit rating was raised to investment level by international agencies in the same year. At the same time, two major shipyards (Uljanik and 3 May) went bankrupt. The shipbuilding industry was one of the major industry branches.

The government led by the Croatian Democratic Union (HDZ) and the Bridge of Independent Lists (MOST) established the parliamentary majority after the elections in September 2016. In 2017 the coalition was broken up. The Croatian Democratic Union (HDZ) formed a new coalition with the Croatian People's Party – Liberal Democrats (HNS), a traditional partner for social democrats. Since it came to power, it was marked by scandals and corruption tied to its ministers. Up until mid-February 2020, fourteen ministers were dismissed from their positions for various reasons.

Television was the medium of choice for news in 2017 used by 66.5 percent of the population. It was followed by websites and portals (20.12), social media and news aggregators (7.14), radio (3.07) and newspapers (2.78) (European Commission, 2017). In 2019, 73 percent of the population used the internet, and as many as 91 percent of internet users read news online. Croatia is ranked second in Europe in that regard (European Commission, 2019). The total value of the advertising market increased by 2.4 percent between 2017 and 2018. Biggest growth is recorded in the internet advertising market (15 percent) (HURA, 2020). However, the major share of the market goes to two global platforms: Google and Facebook (Bilić & Primorac, 2018).

There have been no major legal changes in the media sector. In early 2020, the new Electronic Media Act was opened for public comments. The draft was published after the Croatian Journalists' Association (HND) and community media representatives pulled out of the legislative working group after claiming that their input was not taken into account. During 2018 and 2019 the HND was faced with direct political pressures, censorship and a total of 1160 lawsuits directed at journalists by politicians and other public figures. In March 2019 the HND organized a protest march in the capital city of Zagreb demanding protection of journalism. In the same month, Croatia was visited for the third time in the last several years by representatives of the Southeast European Media Observatory (SEEMO), European Federation of Journalists (EFJ), and the European Broadcasting Union (EBU). In September 2019 Reporters without Borders reported on insufficient action taken by the Croatian Government to stop frequent attacks on journalists (Reporters without Borders, 2019).

3. Results from the data collection: assessment of the risks to media pluralism

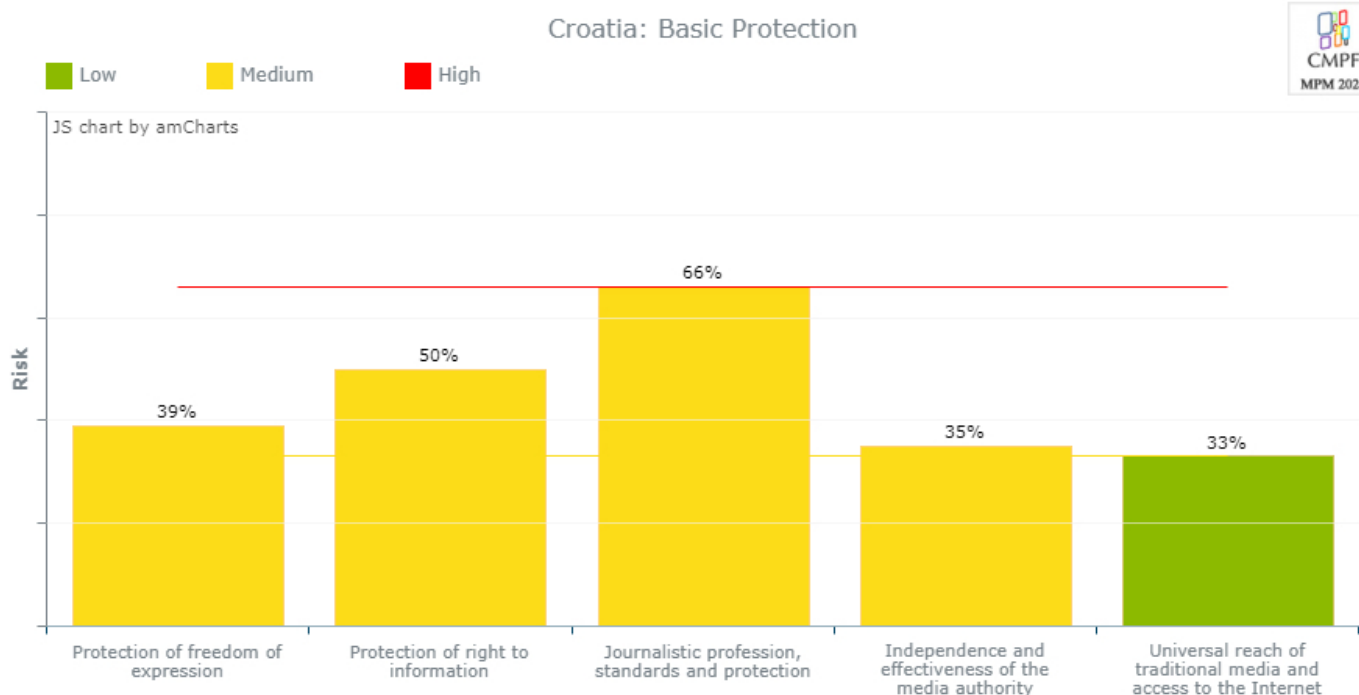


Croatia scores a medium risk for Basic protection (45 percent) and Political independence (58 percent) areas as well as high risk for Social inclusiveness (67 percent) and Market plurality (69 percent) areas. The Basic protection area reflects poor performance in the journalistic profession, standards, and protection indicator as well as in the protection of right to information and freedom of expression indicators. The Political independence area includes high risk indicators for editorial autonomy and independence of PSM governance and funding. The Editorial autonomy indicator has been problematic due to highly inefficient self-regulatory measures, or media statutes, safeguarding political and economic independence. The political interference in the PSM occurs after each parliamentary elections indicating towards the need to change the appointment procedures for key management functions. Social inclusiveness contains high risk indicators in areas of access to media for women, access to media for minorities and media literacy measures. There is under-representation of minorities in relation to their size. In addition, there is under-representation of women in key management positions and in commenting key social issues during central informative broadcasts. Market plurality area scores high risk in the indicators covering online platforms concentration and competition enforcement, news media concentration and owner and commercial influence over editorial content. One of the major issues is the lack of legislation extending towards digital news media and covering horizontal and cross-media concentration issues. The majority of internet users prefers side-door access to online news (59 percent) via social media, search engines and news aggregators (Eurobarometer, 2016). Looking at the online-related risks only, there are major gaps in existing legislation. This is one of the reasons behind medium to high risk scores found across all four domains. The Ministry of Culture announced changes to media legislation and development of an overarching media strategy but no strategies have surfaced until February 2020.

3.1. Basic Protection (45% - medium risk)

The Basic Protection indicators represent the regulatory backbone of the media sector in every contemporary democracy. They measure a number of potential areas of risk, including the existence and effectiveness of the implementation of

regulatory safeguards for freedom of expression and the right to information; the status of journalists in each country, including their protection and ability to work; the independence and effectiveness of the national regulatory bodies that have competence to regulate the media sector, and the reach of traditional media and access to the Internet.



The **Protection of freedom of expression** scores a medium risk of 39 percent. It follows basic international standards. However, legal remedies against violations of freedom of expression are not always effective due to the generally slow court practice in civil lawsuits. The state has not decriminalized defamation. In 2019, an enormous number of lawsuits (1163) was directed towards journalists by politicians and other public figures. Some of the lawsuits were raised by the Public Service Broadcaster (HRT) and were directed towards the Croatian Journalists' Association - HND (European Federation of Journalists 2019). The HND is under increasing pressure and journalists often face threats, and sometimes harassment by the police (OSCE 2019).

The **Protection of right to information** scores a medium risk of 50 percent. It is recognised in the Constitution and in national laws. Restrictions on grounds of privacy, state secrecy, public order and national security are defined in accordance with international standards. Appeal mechanisms for denial of access are in place although they are ineffective. The Information Commissioner reports that there is much room for improvement. Some public bodies deliberately stall, or delay access to information. Access to information is mostly exercised through appeal mechanisms and the direct involvement of the Information Commissioner.

The **Journalistic profession, standards and protection** indicator scores a medium risk of 66 percent. The HND publicly and actively promotes professional values and issues warnings, breaches and severe breaches of ethical standards. However, self-regulatory measures are not effective in guaranteeing editorial independence. The working conditions for journalists have consistently been deteriorating, often due to temporary contracts. Journalists are objects of smear campaigns, hate speech, death threats, scare tactics, police harassment, and defamation charges (Mapping Media Freedom 2020; Council of Europe 2020). Defamation retributions are often claimed by members of the ruling party (HDZ), some individuals issuing more than thirty charges. With regard to data protection, the country has implemented general data protection in local legislation. However, the country did not impose limits with regard to data retention that would prevent illegal monitoring of journalists by law enforcement authorities.

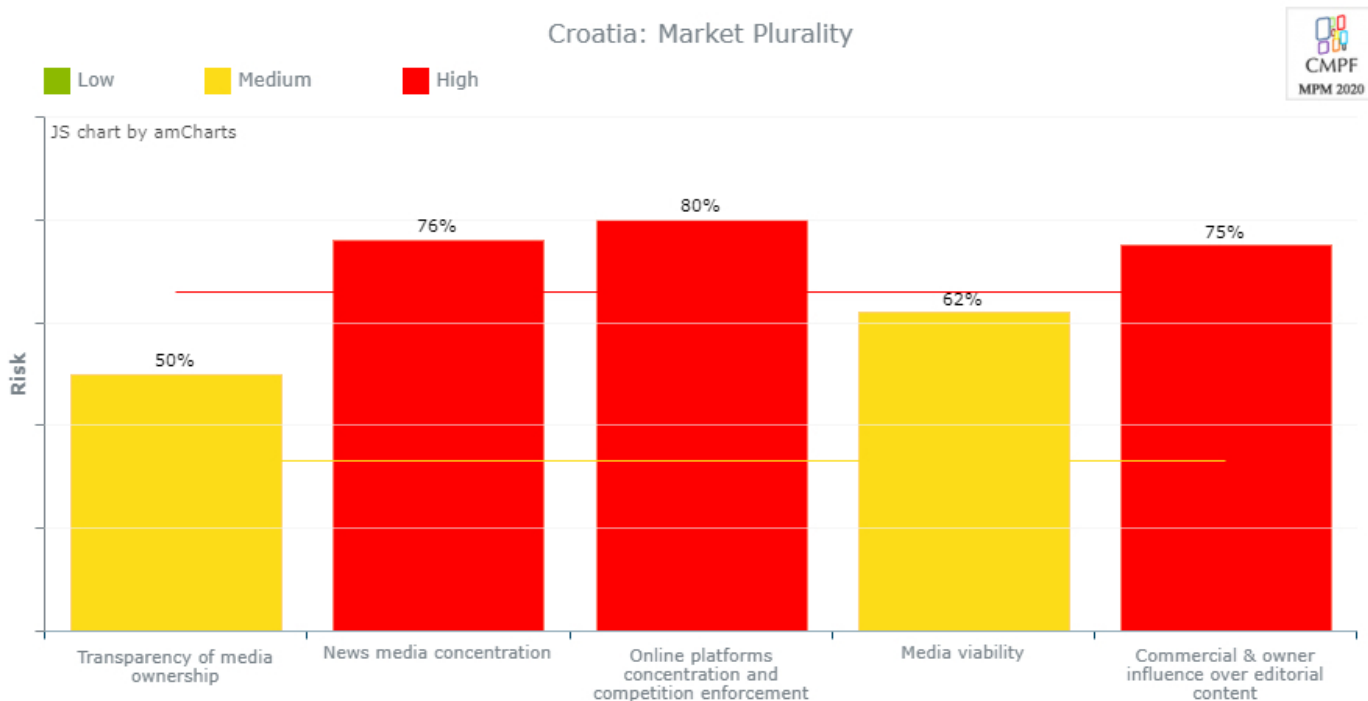
The **Independence and effectiveness of the media authority** (Council for Electronic Media) indicator scores a medium risk of 35 percent. Tasks and responsibilities, sanctioning powers and appeal mechanisms of the authority are defined in detail in law. Appeal mechanisms seem to be effective and are not misused to delay the enforcement of remedies. The budgetary resources for the authority are transparent and the authority regularly publishes information

about its activities. Council members can be re-elected an unlimited number of times which can have negative effects on the independent decision making processes of the Council (INDIREG 2011). The definitions of expertise and qualifications necessary for the election to the Council of Electronic Media are very broad and open to multiple interpretations. Ultimately, too much power is left to the parliamentary majority in terms of nominating and appointing Council members.

The **Universal reach of traditional media and access to the Internet** indicator scores a low risk of 33 percent. The universal coverage of the PSM is guaranteed by the contract between the PSM and the government. The majority of the population is covered by signal of all public television and radio channels as well as by broadband internet. The DVB-T to DVB-T2 transfer will finish by mid-2020. The market share for top4 internet service providers in the country is 99 percent. Regulatory safeguards regarding net neutrality are implemented in practice.

3.2. Market Plurality (69% - high risk)

The Market Plurality indicators examine the existence and effectiveness of provisions on transparency of media ownership and the existence and effectiveness of regulation or self-regulation against commercial & owner influence on editorial content. In addition, they assess the risks related to market concentration in the production as well as in distribution of news: as for production, considering separately horizontal concentration in each sector and cross-media concentration; as for distribution, assessing the role of online platforms as gateways to news, the concentration of online advertising market, and the role of competition enforcement and regulatory safeguards in protecting information pluralism. Moreover, they seek to evaluate the viability of the news media market.



The **Transparency of Media Ownership** indicator scores a medium risk of 50 percent. The law contains media-specific provisions requiring the disclosure of ownership details to public bodies as well as regular updates to ownership changes. Print media report changes to the Croatian Chamber of Commerce while audio-visual, radio, and digital media report changes to the Council for Electronic Media. The law stipulates sanctions for non-reporting of ownership information. The issue of the ultimate beneficial owners or individuals who ultimately control or own the company still remains problematic.

The **News media concentration** indicator scores a high risk of 76 percent. There are no limits set to horizontal concentration of digital news media or cross media concentration that would include digital media. The market share for Top4 audio-visual media owners is 95 percent. Audience concentration of the Top4 audio-visual media in the country is

57 percent. The market share for Top4 radio owners is 69 percent. Audience concentration of Top4 radio owners is 41 percent. The market share for Top4 newspaper owners is 71 percent. Audience concentration of Top4 newspapers is 37 percent. There is no data on the market share of Top4 digital native news media. Audience concentration among top4 digital native news media is 87 percent. Audience share of Top4 online news media is 54 percent.

The **Online platforms concentration and competition enforcement** indicator scores a high risk of 80 percent. Fifty nine percent Croatian internet users prefer side-door access to news. (Eurobarometer 2016). The online advertising market share of Top4 online competitors (online platforms and news media included) was 69 percent for 2015 (the share is likely higher in 2020 due to online platform dominance). Google and Facebook capture an estimated 52 percent of the market. (Bilić and Primorac, 2018). The estimate is for 2015.) The audience concentration of Top4 online competitors (news media and online platforms included) is 51 percent. Competition law applies to all relevant markets for commercial activities. However, there are no media specific laws that would apply to the (online) advertising market.

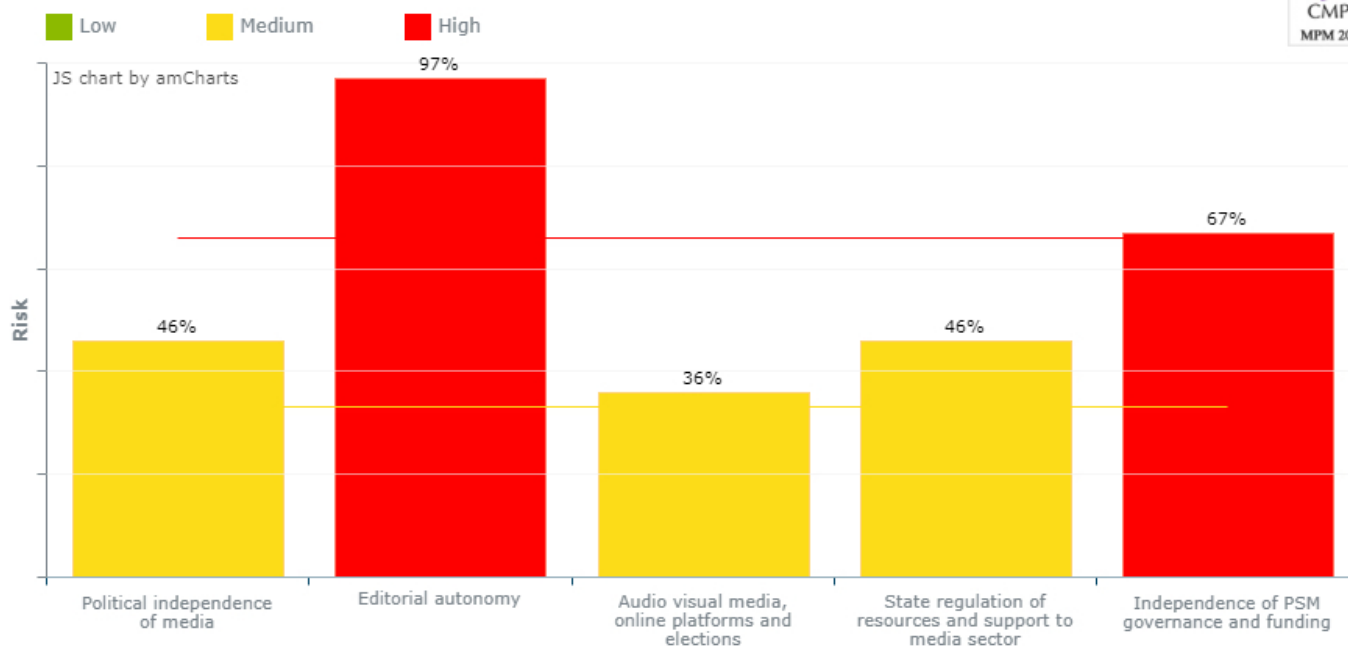
The **Media viability** indicator scores a medium risk of 62 percent. The results reflect poor data precision and general lack of data, especially on the number of employed journalists. Revenues for audio-visual media, local media and digital news media have increased slightly between 2017 and 2018. The digital news media increase reflects the increase in the number of registered organizations (from 204 to 246) by the Council for Electronic Media. Revenues for radio and newspapers have decreased in the same time. Between 2017 and 2018 daily newspapers sales have recorded a 9% drop. At the same time, weekly sales have recorded a 5% drop. Advertising revenues for dailies and weeklies also record a drop. Total advertising spending for all media increased by 2.4% between 2017 and 2018. In addition to market trends in which online platforms capture the majority of online advertising investments, the overall trend is that of diminishing public funds and lack of alternative revenue streams, especially for non-profit organizations.

The **Commercial and owner influence over editorial content** indicator scores a high risk of 75 percent. In cases of ownership or editorial line changes, the only mechanisms granting social protection to journalists are the ineffective self-regulatory media statutes. There are no regulatory safeguards seeking to ensure that decisions regarding appointments and dismissals of editors-in-chief are free from commercial interests. The Code of Ethics of the Croatian Journalists' Association provides some safeguards to prevent the commercial and advertising influence on journalists. But they are not effective in preventing media owners and other commercial entities to systematically influence editorial content. There are no measures that apply to the protection of journalistic work in online news media. Disguised advertisements online are poorly regulated.

(Data on market share and revenues of audiovisual and radio, and data on revenues of digital news media are provided by the Agency for electronic media for 2018; data on market share for newspapers are provided by the Croatian Chamber of Commerce for 2018; data on audience and readership are provided by Ipsos for 2019; data on audience concentration of Top4 online competitors are based on the Daily Time on Site metric and provided by Alexa.com).

3.3. Political Independence (58% - medium risk)

The Political Independence indicators assess the existence and effectiveness of regulatory and self-regulatory safeguards against political bias and political influences over news production, distribution and access. More specifically, the area seeks to evaluate the influence of the State and, more generally, of political power over the functioning of the media market and the independence of public service media. Furthermore, the area concerns with the existence and effectiveness of (self)regulation in ensuring editorial independence and availability of plural political information and viewpoints, in particular during electoral periods.



The **Political independence of media** indicator scores a medium risk of 46 percent. There are no explicit restrictions in media legislation that would include limits to party, partisan groups or politicians as owners in the definition. Conflict of interest rules apply indirectly but there are no legal limitations to direct and indirect control of media. Political control over the PSM is particularly evident in the alignment of its editorial policies following parliamentary elections. Radio is often dependent on regional and local politics while the newspapers often support policies and viewpoints in line with the political leaning of its ownership. Digital news media tend to be politically polarised.

The **Editorial autonomy** scores a high risk of 97 percent and is the most problematic indicator in the entire evaluation. There are systematic cases of political interference in appointment and dismissals of editors-in-chief. Neither the Media Act, nor the Electronic Media Act contains safeguards to prevent this interference. This is particularly emphasized in the case of the PSM where dozens of editors and journalists are often dismissed immediately following parliamentary elections. Self-regulatory measures (i.e. media statutes) and the Code of Ethics of the Croatian Journalists' Association have proven to be highly ineffective in controlling political influence.

The **Audio-visual media, online platforms and elections** indicator scores a medium risk of 36 percent. The political bias of the PSM is visible in their pro-Government reporting style as well as through different interest groups that try to influence the PSM editorial policies and internal operations (Reporters Without Borders, 2020). At the same time, there have been no reports of unfair treatment and representation of different groups of political actors during recent elections. There are no safeguards in Croatian legislation that aim to ensure equal opportunities and transparency of online political advertising during electoral campaigns. The State Electoral Commission declared that social media do not qualify the legal definition of media in accordance with the Media Act. Political parties were asked only to report spending on online platforms with no limits on the amount spent.

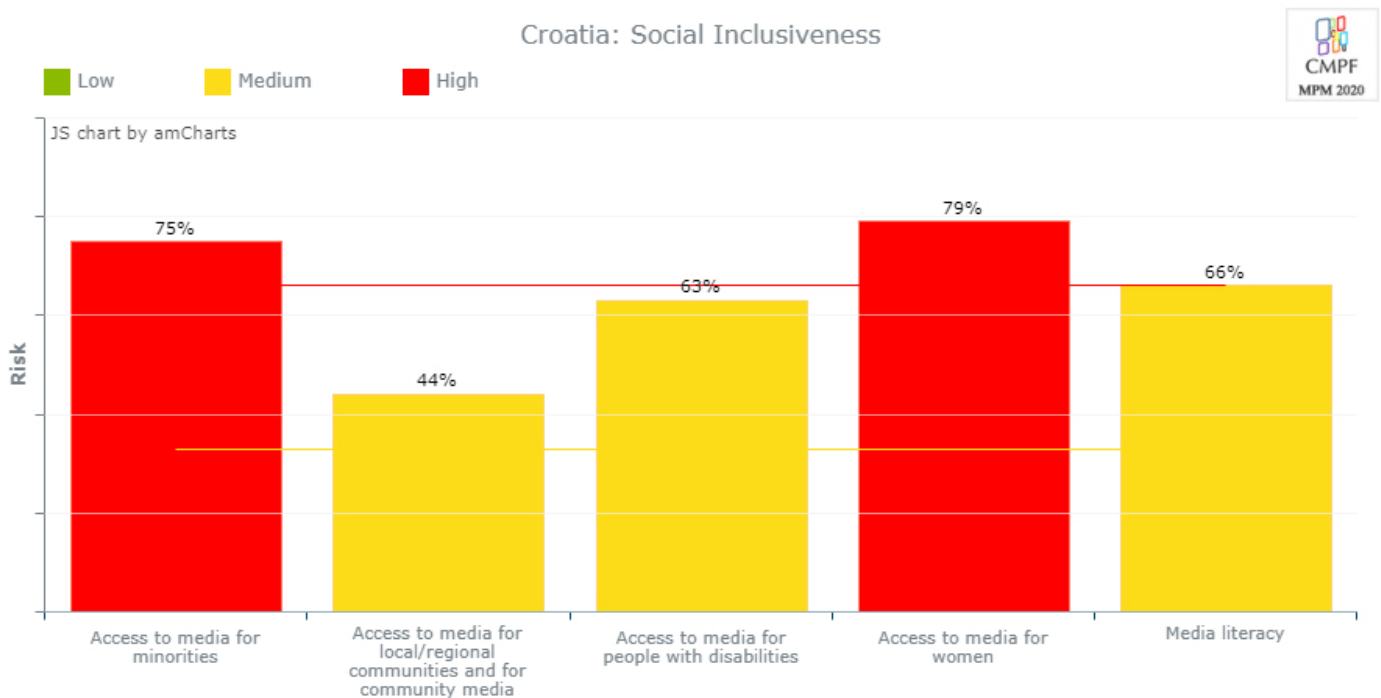
The **State regulation of resources and support for the media sector** indicator scores a medium risk of 46 percent. The main mechanism for the distribution of direct government subsidies to media outlets is the Fund for the Promotion of Pluralism and Diversity. In the past several years non-profit media, primarily digital outlets, have been covering a wide array of socially relevant issues, providing counter-balance to commercially driven and politically influenced mainstream outlets in the country. The current Minister of Culture announced several times that she will allocate funds available from the European Social Fund (ESF) which were available for allocation already in 2015. The president of the Community Media Forum Europe (CMFE, 2019) sent an open letter to the Minister of Culture in February 2019 expressing concern about the stalling of distribution and a general lack of support for community media in the country. In March 2019 the Minister of Culture announced that the allocation of funds will occur in two stages with the first including only half of the available funds. Other types of support for (commercial) media include reduced tax

(VAT) rates for organisations that have a self-regulatory media statute. These measures are highly ineffective in promoting quality journalism for commercial media.

The **Independence of PSM governance and funding** indicator scores a high risk of 67 percent. PSM management appointment procedures are highly dependent on the Croatian Parliament which leaves room for systematic political interference. Dismissals and appointments occur after each parliamentary elections. Four of the five members of the Supervisory Committee are appointed by the Croatian Parliament as well as the Director of the HRT.

3.4. Social Inclusiveness (65% - medium risk)

The Social Inclusiveness indicators are concerned with access to media by various groups in society. The indicators assess regulatory and policy safeguards for community media, and for access to media by minorities, local and regional communities, women and people with disabilities. In addition to access to media by specific groups, the media literacy context is important for the state of media pluralism. The Social Inclusiveness area therefore also examines the country's media literacy environment, as well as the digital skills of the overall population.



The **Access to media for minorities** scores a high risk of 75 percent. The law guarantees access to airtime on PSM channels to the constitutionally recognized minorities. The PSM is obliged to have special format programmes for national minorities. However, PSM programmes are narrowly specialized and the voice of the minorities is certainly not heard well in the broader society. Minorities that are not legally recognized do not have access to PSM channels in practice. Reports in PSM programmes are only sporadic. The legislation does not foresee an obligation to provide national news in minority languages. Most legally and non-legally recognized minorities do not have access to airtime on private TV or radio or it is not proportional to the size of their country populations.

The **Access to media for local/regional communities and for community media** scores a medium risk of 44 percent. Authorities support regional/local media with a limited number of policy measures or subsidies. The main type of state subsidy is the Fund for the Promotion of Pluralism and Diversity. The community media have a specific status as non-profit providers of media services and electronic publications as well as non-profit producers of audio-visual and/or radio programmes. They largely depend on the state budget. The position of non-profit media is poorly understood by the Ministry of Culture. The Ministry does not take sufficient initiative to support their role in a plural media environment and to ensure that they can provide their program without political and economic interference. The Ministry has either cut some of their funding or stalled the allocation of international funds.

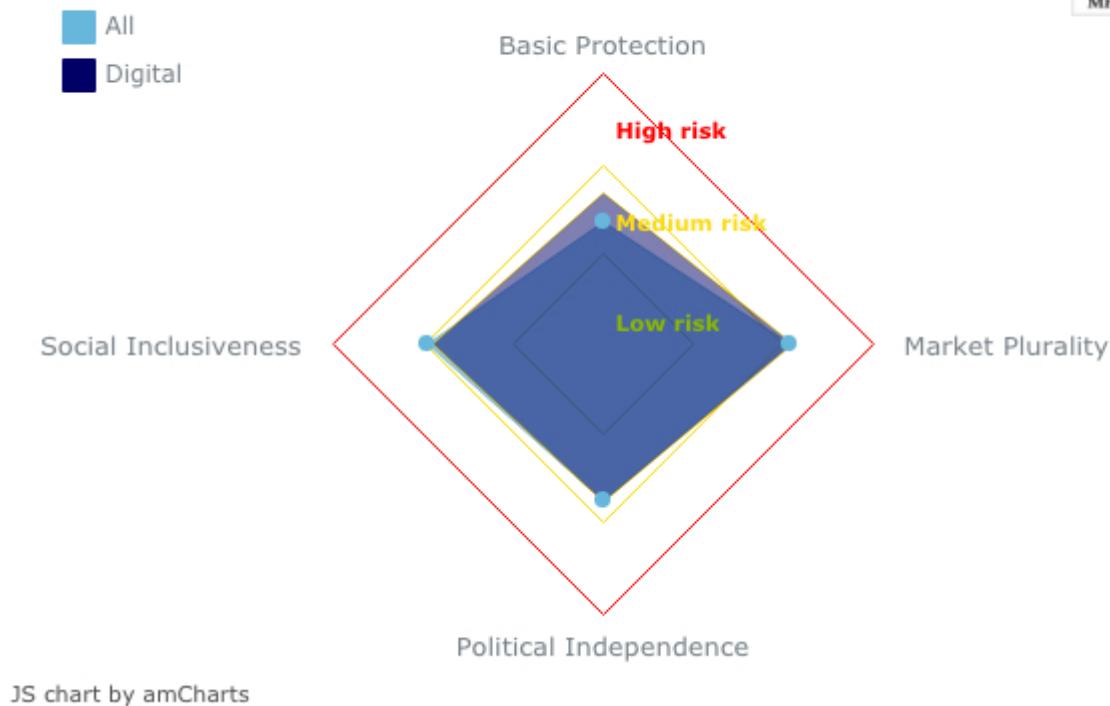
The **Access to media for people with disabilities** indicator scores a medium risk of 63 percent. The existing policies are nascent and the measures taken are fragmented. Subtitles, signing and sound descriptions are available only on an irregular basis or in the least popular scheduling windows. When they are available in the popular windows, e.g. evening hours, they are available only for foreign subtitled programmes, not for those produced in the Croatian language. Sound and audio descriptions are either not available for blind people in the programmes of the PSM or private TV channels or are available on a highly irregular basis.

The **Access to media for women** scores a high risk of 79 percent. The PSM does not have a comprehensive gender equality policy. Neither the Agreement between the Government of the Republic of Croatia and the Croatian Radio and Television for the period 2011-2017 nor for the period 2018-2022 contained a provision on gender equality promotion as a mission and value promoted in the programmes of the PSM. Key management positions for the PSM and private TV companies are occupied by men. Women are usually underrepresented or are depicted in a stereotypical way in the media.

The **Media literacy** indicator scores a medium risk of 66 percent, which is on the border with high risk. The policy on media literacy is still nascent and the measures taken so far are fragmented. Part of the curriculum of the Croatian language courses in elementary and high schools covers topics related to media literacy. The Agency for Electronic Media developed materials for parents, teachers and children on media literacy. There is no comprehensive national agenda that would qualify as a media policy with clear strategic goals, concrete commitments and timeline for the implementation of measures. Over the last years, media literacy activities have been steadily growing. There are several noteworthy initiatives, mostly initiated and managed by non-profit organizations and/or educational institutions that aim to increase media literacy and help bring digital and media literacy into the work of educators, librarians or specialists dealing with children.

4. Pluralism in the online environment: assessment of the risks

Croatia: Media Pluralism Risk Areas - Digital



The **Basic protection** area in the online environment scores 56 percent. No explicit differentiation is made between freedom of expression online and offline in relevant legislation. In principle, equal rules apply to all media. Recent spread of hate crimes directed towards minorities, Serbian in particular (OSCE, 2020), as well as hate speech on social media and web portals have stirred up public debate and caused widespread concern. There have been no concrete measures, policy or legal actions taken to ban hate speech directed towards ethnic, religious, gender, and sexual-orientation minorities in the media by February 2020. The Electronic Media Act is in the public discussion stage and its potential impact is still unclear. There have been trends of threats directed towards journalists. Journalists are regularly discredited and threatened over social media platforms. In addition, there have been cases of excessive and unnecessary police actions against digital news media journalists investigating local politicians, as well as arrests on the grounds of satirical tweets (OSCE, 2019). At the same time, the GDPR Implementation Act (42/18) contains no specific provisions to prevent illegal monitoring of journalists by law enforcement authorities. Media specific legislation (Media Act and the Electronic Media Act) has not been amended since 2013 and the Access to Information Act has last been amended in 2015. The country performs well in terms of internet broadband coverage, but the internet service providers' market is highly concentrated (99 percent) and one fifth of the population is still not online (EC, 2019). There have been no recorded cases of the State or the ISPs arbitrarily filtering/monitoring/blocking or removing online content.

The **Market plurality** area scores 70 percent. Ultimate beneficial owners of digital media are not easily accessible and can remain hidden. Media regulation establishes limits to horizontal and cross-media ownership (share in capital and number of printed newspaper copies). There are no specific limits referring to digital news media (i.e. electronic publications in the Electronic media Act). Cross-media concentration is particularly problematic since ownership changes for print media are monitored by the Croatian Chamber of Commerce (HGK). Changes for electronic media (audio-visual, radio, digital) are monitored by the Council for Electronic Media (VEM). Companies also have to report to the Agency for Market Competition Protection (AZTN) which creates problems and results in overlap of regulatory duties. Audience concentration of Top4 online news media is 54 percent (data provided by Ipsos, January-September 2019). The digital native audience concentration reaches 87 percent. At the same time, the majority (59 percent) of the audience (Eurobarometer, 2016) prefers side-door access to news via social media, news aggregators and search engines. Total internet advertising spending increased by 15% between 2017 and 2018 (HURA, 2020). According to the

last available data, the Top4 digital advertising market share was 69 percent (Data based on Bilić and Primorac (2018) and provided by the Agency for Electronic Media for 2015). Platforms (Google and Facebook) captured an estimated 52 percent of the market. Competition law applies to all markets which are determined according to the Regulation on Determining Relevant Markets and the Market Competition protection Act. There are no media specific laws that would apply to the advertising market. Article 60 of the Electronic Media Act states that legal entities whose activities are in collection, shaping, and mediating advertisements, as well as physical and legal, or otherwise connected entities that own a 10 percent of capital or ownership share, cannot also perform television and radio broadcasting. The law does not apply to digital news websites. There are no official numbers on revenues or employed journalists for digital native media. Simultaneously, there is evidence of commercial influence over editorial content, visible in widespread use of native advertising on news portals. Measures that would apply to the protection of journalistic independence in online news media are non-existent and left to self-regulation which has proven to be ineffective. Public sources of revenue for non-profit media have been reduced in the last several years. Alternative sources such as crowd-funding have been sporadic and they do not represent a viable, long-term solution to the problem of funding journalism.

The **Political independence** area scores 58 percent. Political preference towards either conservative or progressive values regarding relevant public issues is often visible in content published by online outlets of the most popular print media. Some of the issues with regard to political control over audio-visual media and newspapers extend to their online editorial boards. Popular, digital, native news media provide some alternatives and critical views pointed towards ruling parties. But there are also concerning trends of right-wing websites spreading hate speech. Overall, digital news media are showing polarisation. In 2019, the State Electoral Commission declared that social media do not fill the legal definition of the media in accordance with the Media Act. Political parties were asked only to report how much was spent on social media. There are no rules, or limits, on the amount spent. The Facebook Ad Library provides some transparency, although data is imprecise and likely incomplete. Facebook also collaborates with a local fact checking organisation Faktograf. The Agency for the Protection of Personal Information (AZOP) issued a Recommendation on processing personal data for the purpose of political marketing. Efforts to create and implement rules for digital news media that limit political influence have generally been sporadic, insufficient, and ineffective.

The **Social inclusiveness** area scores 63 percent. Only 53 percent of the population has basic overall digital skills, and 26 percent of the population has low overall digital skills (Eurostat, 2020). Efforts to remove hate speech directed towards ethnic or religious minorities, people with disabilities and women have remained at the level of sporadic public discussions with participation from regulators, policy experts, journalists and civil society. The draft version of the Electronic Media Act from early February 2020 envisions editorial responsibility for video-sharing platforms to take active measures of protecting the general public from incitement to violence and hate speech. It is unclear how such responsibility is to be enforced and/or monitored. Moreover, responsibility for social networking and information searching platforms is not addressed. There have been many initiatives from a media literacy perspective to combat hate speech, including from the NGO GONG, House of Human Rights, and Centre for Peace Studies which were a part of the Against Hate project funded by the European Union's Rights, Equality and Citizenship program. GONG and the House of Human Rights also started a project titled Stop Hate to educate the public and directly combat hate speech. There are many other examples, and all of them outline the increasing role of social media and the internet in spreading hate speech.

5. Conclusions

In the area of basic protection, Croatia is protecting journalistic profession and standards poorly. Journalists are objects of smear campaigns, hate speech, death threats, scare tactics, police harassment, and defamation charges. There are no legal provisions with regard to preventing illegal monitoring of journalists by law enforcement authorities. Self-regulatory measures for protecting journalism are ineffective. Market plurality domain scores high risks in the indicators covering online platforms concentration and competition enforcement, news media concentration and owner and commercial influence over editorial content. There are no specific limits referring to digital news media (i.e. electronic publications in the Electronic media Act) with regard to horizontal and cross-media concentration. There are no media specific laws that would apply to the advertising market. The political independence domain includes high risk indicators for editorial autonomy and the independence of PSM governance and funding. Self-regulatory measures are highly inefficient while appointments and dismissals in the PSM occur after each parliamentary elections. Efforts to limit political influence on digital media and regulate online advertising during electoral campaigns have been poor. Social inclusiveness contains high risk indicators in areas of access to media for women and minorities, as well as in lack of strategic thinking for promoting media literacy. There is disproportional representation of minorities in relation to their size and under-representation of women in key management positions. Efforts to remove hate speech toward ethnic or religious minorities, people with disabilities and women have remained at the level of sporadic public discussions.

The following is a list of policy recommendations.

Basic domain:

- Protect freedom of expression against excessive lawsuits directed towards journalists. Restrictions to freedom of expression should pursue a legitimate aim in accordance with Article 10(2) of the ECHR. Restrictions are envisioned to be rare exceptions and should not become the rule.
- Ensure prevention of illegal monitoring of journalists by law enforcement authorities by transposing and implementing the Directive (EU) 2016/680.

Market plurality:

- Establish a single ownership register for all media. A single regulatory authority needs to be delegated to monitor compliance with cross-ownership rules.
- Expand horizontal and cross-media concentration limitations to include digital media (i.e. electronic publications) in the Electronic Media Act (OG 153/09, OG 84/11, OG 94/13, and OG 136/13).
- Impose restrictions on the dominant position of online platforms in the local internet advertising market by amending the Electronic Media Act (OG 153/09, OG 84/11, OG 94/13, and OG 136/13).

Political independence:

- Amend the Croatian Radiotelevision Act (OG 137/10, OG 76/12, and OG 78/16) and introduce appointment procedures for key functions that reduce the influence of the Parliament.
- Promote better implementation, and monitoring, of self-regulatory statutes and ethics codes. Ensure that media statutes are made public by media organisations.
- Introduce a clear set of rules and limits for transparent monitoring of social media campaigns in the Rules on electoral advertising.

Social inclusiveness:

- Amend the Contract between the Government and the HRT (2018-2022) to include a gender equality policy.
- Ensure better representation of minorities in the media system through cooperation between the Council of National Minorities and the PSM.
- Expand funding opportunities for non-profit media. Introduce taxation of online platforms and redistribute funds to investigative journalism projects.

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ANNEXE I. COUNTRY TEAM

| First name | Last name | Position | Institution | MPM2020 CT Leader |
|------------|-----------|----------|---|-------------------|
| Pasko | Bilic | | Institute for Development and International Relations | X |

ANNEXE II. GROUP OF EXPERTS

The Group of Experts is composed of specialists with a substantial knowledge and experience in the field of media. The role of the Group of Experts was to review especially sensitive/subjective evaluations drafted by the Country Team in order to maximize the objectivity of the replies given, ensuring the accuracy of the final results.

| First name | Last name | Position | Institution |
|------------|-----------|---------------------|--|
| Hrvoje | Zovko | President | Croatian Journalists' Association |
| Josip | Popovac | President | Council for Electronic Media |
| Viktorija | Car | Associate professor | Faculty of Political Science, University of Zagreb |

