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Macedonia

Country:

Macedonia

Year:

2017

Press Freedom Status:

Not Free

PFS Score:

64

Legal Environment:

19

Political Environment:

25

Economic Environment:

20

Key Developments in 2016

- In April, several journalists were physically attacked by police while reporting on protests against the presidential pardon of individuals implicated in a large-scale and illegal wiretapping program.
- In April, Zoran Božinovski—who had relocated to Serbia due to safety concerns after publishing articles critical of the governing party, was extradited to Macedonia on charges of espionage and extortion in a case the Macedonian Institute for Media and others described as a political vendetta. He remained in detention at year's end.
- A Temporary Commission created within the media regulator was tasked with monitoring media coverage of the December elections. Composed primarily of members nominated by political parties, it did not resolve more systemic issues regarding the regulator's independence.
- A new national television station, TV Nova, launched in February. Its coverage favored the ruling party, and helped solidify progovernment media's dominant position in the media market.

Executive Summary

Macedonia's media landscape is deeply polarized along political lines, with most influential outlets favoring the governing Internal Macedonian Revolutionary Organization –Democratic Party for Macedonian National Unity (VMRO-DPMNE), particularly in the broadcast sector. The few outlets critical of the government struggle financially, and their presence is mainly online. Self-censorship among journalists is common, due primarily to pressure from media owners with particular business or political interests.

In 2016, several temporary media reforms were implemented as part of an agreement to resolve a political crisis that has severely disrupted political life since 2015. However, the reforms, in addition to being temporary, had limited effects on the media landscape. Meanwhile, journalists and media monitors expressed suspicions that the government directs news coverage at progovernment outlets.

The rate of attacks and harassment against journalists is increasing, with many such violations taking place as journalists attempt to cover the news. Security forces have perpetrated a number of such violations. State institutions have developed neither policies to protect journalists nor mechanisms to monitor and report attacks, and show little interest in doing so.

Legal Environment: 19 / 30

The constitution and other laws include basic protections for freedom of the press and freedom of expression. However, implementation is poor in practice, and authorities have invoked various laws, including criminal laws, to restrict journalist's activity, and resulting penalties can be severe. In April 2016, Zoran Božinovski—who had relocated to Serbia due to safety concerns after publishing articles criticizing former prime minister Nikola Gruevski and the VMRO-DPMNE—was extradited to Macedonia on charges of espionage and extortion in a case the Macedonian Institute for Media and others described as a political vendetta; his trial was ongoing and he remained in detention at year's end.

Defamation was decriminalized in 2012, but a parallel change to the civil defamation law authorized large fines for violators. Court procedures in defamation cases can be lengthy, though such suits are frequently dropped or settled out of court, often because defendants yield to the threat of crippling financial penalties. While courts have ruled in favor of journalists in a number of recent defamation suits, the Association of Journalists of Macedonia (ZNM) has noted that courts frequently consider defamation allegations in which the plaintiffs have failed to produce any evidence for their complaint, sometimes postponing preliminary hearings multiple times to allow the accusers to gather material, and that defendants are sometimes not promptly informed when cases are filed against them. Court procedures for defamation cases last longer than other types of trials, and the judiciary is subject to political interference. However, according to the ZNM, defamation cases against journalists have decreased in recent years.

The law on open access to public information is selectively enforced. Journalists, for their part, are not well informed about the law and rarely use it. In May 2016, the ZNM submitted 105 requests to public institutions for data on the amount from their annual budgets spent on advertising campaigns. They received 80 responses, though not all responding institutions fully answered the questions.

Enforcement of media regulations is weak, and the licensing process is subject to undue political and economic influence. A government-dominated media regulator, the Agency for Audio and Audiovisual Media Services (AVMU), is empowered to impose heavy fines and revoke broadcast licenses for content that threatens vaguely defined interests such as “public order” and “health or morals.” Amendments to the law, adopted in 2014, exempted online outlets from regulation, minimized the obligations of print media, allowed the ZNM to nominate one of the regulator’s seven council members, and inserted language to ensure that all future content rules comply with standards set by the European Court of Human Rights. Critics of the original laws said the changes, passed under international pressure, were inadequate. In recent years the regulator has adopted several broadcasting license decisions favorable to progovernment outlets. The agency’s director continues to hold outsized decision-making power compared to the council, contributing to concerns about its independence. Civil society groups continued to call for reforms to the AVMU and its governing legislation in 2016.

In July 2016, in response to the country’s political crisis, the four main political parties agreed to a protocol which included the establishment of a Temporary Commission within the AVMU; the body was responsible for monitoring media coverage before the December 2016 elections. The five-member commission was comprised of two representatives from governing parties, two from the opposition, and a fifth member selected by consensus among the four political nominees; it did not have power to sanction violators, but could refer violations to courts. The Organization for Security and Co-Operation in Europe (OSCE) in December expressed concern that the commission’s rulings were inconsistent, while others noted with concern that the commission’s mandate was set to end after the election.

The Macedonian Association of Journalists (MAN) is closely aligned with the government, while the ZNM is more aligned with the opposition. The ZNM documents media freedom violations more rigorously than its counterpart, but it has been silent on some issues involving pressure against media workers at progovernment outlets. The Independent Trade Union of Journalists of Macedonia (SSNM) is affiliated with the European Federation of Journalists and the International Federation of Journalists; it allows anonymous membership in response to journalists’ concerns that they may encounter pressure from their employers if their membership in the union became public. In July 2016, a new union, the Independent Syndicate of Journalists in Macedonia, was established, and its membership is comprised of media workers from progovernment outlets. The Media Ethics Council, a self-regulatory body, was established in 2014 to hear complaints about the media; frequently the cases it receives are filed by journalists against other journalists. In 2016, the council prepared a “Charter on Ethical Reporting during Elections” that was formally endorsed by many media outlets, but which had little practical effect on election coverage. In December, the Council was attacked in progovernment media as a puppet of international financier and philanthropist George Soros.

Journalists are not required to be licensed. However, the Law on Media contains a narrow definition of the type of work that amounts to employment as a journalist, and excludes bloggers and citizen journalists.

Political Environment: 25 / 40 (↓1)

Macedonia's media landscape is deeply polarized along political lines, with most influential outlets favoring the governing VMRO-DPMNE, particularly in the broadcast sector. Private media outlets are often tied to political or business interests that influence their content. Critical and independent outlets, which are found mainly online, typically provide more credible coverage than outlets considered progovernment. A few neutral media outlets also operate.

The public broadcaster, Macedonian Radio and Television (MRT), is subject to strong influence from the ruling party and favors its viewpoints. According to a provision in the Pržino Agreement—a U.S. and European Union–brokered deal designed to resolve a political standoff by setting early elections—the largest opposition party nominated a temporary chief editor of MRT's MRT1 television channel, who assumed her role ahead of the December 2016 elections. While opposition and government figures received roughly equal news coverage on MRT1 during the 2016 campaign, an OSCE election monitoring mission found that it provided little analysis of political events. Moreover, by some accounts MRT's employees were wary of the new leadership, and sought to protect the government's interests rather than to produce news items designed to inform the public. Critics also noted the temporary nature of the provision.

Journalists and media monitors have expressed suspicions that the government directs the coverage at progovernment outlets, possibly via a center answering to the prime minister's office; they point to near-identical coverage of certain stories among various outlets, as well as oversimplified or misleading coverage of controversial topics, including the work of the Special Public Prosecutor's Office (SJO), which is tasked with investigating official corruption, and whose work in 2016 was reframed in progovernment media to reflect the view of VMRO-DPMNE. In a 2016 report, Macedonia Democracy Watch, a research group, described progovernment outlets' reporting on recent antigovernment protests, and the international reactions to the protests, as designed to delegitimize the demonstrators' grievances.

There is no official censorship body. Journalists have reported high rates of self-censorship, as they experience pressure not to publicize information that could harm their employers' business interests.

The media market in Macedonia is oversaturated, though the most influential outlets are considered progovernment. What little investigative reporting exists in Macedonia is typically found in online outlets, whose financial status is often precarious.

The rate of attacks and harassment against journalists is increasing, with many such violations taking place as journalists attempt to cover the news. Impunity is the norm for perpetrators. According to the ZNM, as of September 2016, none of the perpetrators of the 34 attacks it documented between January 2015 and June 2016 were prosecuted; these include physical attacks, verbal assaults, and damage to or forceful confiscation of property, with some such violations carried out by security agents. State institutions have developed neither policies to protect journalists nor mechanisms to monitor and report attacks, and government figures demonstrate little interest in the issue. In April 2016, several journalists were physically attacked by the police while reporting on protests against the presidential pardon of individuals implicated in large-scale and illegal government wiretapping of journalists and others. And in June 2016, two security agents for Gruevski erased recordings of him from a reporter's phone.

Economic Environment: 20 / 30 (↓1)

Macedonia has a large number of broadcast and print outlets for its population, but progovernment media—including the public MRT and several private television stations and newspapers—hold a dominant position in the market. There are about 10 national television broadcasters and roughly as many daily newspapers, plus dozens of radio stations and a growing number of online news outlets. The national television stations TV Sitel, TV Alfa, and Kanal 5 are aligned with the VMRO-DPMNE, as are the MRT, and several private regional and local television stations, most popular newspapers, and several online news portals. In February 2016, the new TV Nova station was launched; in an analysis of its coverage of the 2016 election campaign, Macedonia Democracy Watch concluded that its positions were also close to those of VMRO-DPMNE. A small number of outlets, such as the television channels Telma TV and 24 Vesti, plus the publications *Sloboden Pečat* and *Fokus*, carry more balanced or critical coverage. Broadcasters and print outlets are required to publish ownership information. However, ownership transparency is undermined by the use of proxies and silent partners.

Access to the internet is constrained only by cost and infrastructural obstacles, with around 70 percent of the population accessing the medium in 2015. Use of social media continues to increase, and news sites and blogs have rapidly expanded.

The government is one of the country's largest advertisers, and the ruling party has benefitted from deep pricing discounts from friendly outlets, particularly during election campaigns. Press freedom advocates have criticized such advertising campaigns as being primarily a method of distributing funds to progovernment media outlets. In 2015, the government issued a moratorium on official advertising amid the growing political crisis; however, the measure did not extend to all public institutions or to allied private institutions, allowing the government to retain indirect influence over the media through advertising contracts. In July 2016, the government introduced a draft law that would legalize state advertising for government media campaigns budgeted at over €100,000 (\$110,000), but the measure was withdrawn in August following criticism from civil society groups and the ZNM.

The television market attracts the largest share of advertising revenue. The state subsidizes content production for national television broadcasters under amendments to the media law adopted in 2014, creating another mechanism for the dispersal of official funds to friendly media.

Many media outlets rely on financial support from private owners' other businesses. The media market is fragmented, and advertising revenue is not sufficient to support efficient operation of professional media outlets. Partly due to market pressures and competition, the quality of journalism is often low.

Journalists face low salaries, a lack of job security, and poor working conditions, leaving them more vulnerable to editorial pressure from owners. According to a June 2016 survey conducted by the ZNM, less than half of journalists have full-time employment contracts with social benefits, and one in three earn less than the country's average monthly income.

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