

Macedonia

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Freedom of the Press

The Macedonian constitution includes basic protections for freedom of the press and of expression, but the authorities do not uphold them impartially. The use of criminal laws to restrict journalistic activity drew international attention in 2013 when *Nova Makedonija* reporter Tomislav Kezarovski was arrested in May for allegedly revealing the identity of a protected witness in a murder case, kept in pretrial detention, then sentenced to four and a half years in prison in October. The articles in question were published in 2008, regarding a 2005 murder, and they alleged that police had coerced the witness into giving false testimony. The witness confirmed that account in a court hearing in February 2013, and said he was only given protected status in 2010; the original murder convictions were consequently overturned. Kezarovski was moved to house arrest in November pending the outcome of his appeal.

Observers noted that at the time of his arrest in May, Kezarovski had been scrutinizing a flawed police investigation into the March death of prominent journalist, press freedom advocate, and government critic Nikola Mladenov. Police treated the fatal car crash as an accident and failed to address crucial questions about Mladenov's missing mobile telephone, the lack of highway camera footage, and Kezarovski's claim to have found neglected evidence at the crash site. In a separate criminal case, freelance journalist Zoran Bozinovski, known for a political blog that was critical of the government, was among 20 people charged in September with participating in a spy ring for a neighboring country. He was awaiting extradition from Serbia at year's end.

Defamation was removed from the penal code in 2012, but a parallel change to the civil defamation law authorized fines of up to €27,000 (\$34,000)—€2,000 for the reporter, €10,000 for the editor, and €15,000 for the outlet owner. A journalists' union reported in early 2013 that forced apologies had become more common under the threat of the new civil fines. The law on open access to public information is unevenly and selectively enforced.

The Broadcasting Council, which regulates television and radio outlets, lacks independence from the government. Enforcement of media regulations is weak, and the licensing process is subject to undue political and economic influence. In late December, the parliament adopted two laws—the Law on Media and the Law on Audiovisual Media Services—that created a new government-dominated media regulator to replace the current Broadcasting Council. The new agency will have authority over not just broadcasting, but also print and online media—previously not subject to state regulation—and will be empowered to impose heavy fines and revoke broadcast licenses for content that threatens vaguely defined interests such as “public order” and “health or morals.” Shortly before passage, the government pledged to adopt amendments in January 2014 that would exempt online outlets from regulation, minimize the obligations of print media, allow the Journalists' Association of Macedonia (ZNM) to nominate one of the regulator's seven council members, and insert language to ensure that all future content rules comply with standards set by the European Court of Human Rights. Critics of the laws said the promised changes were inadequate.

Most private media outlets are tied to political or business interests that influence their content, and state-owned media tend to support government positions. The government's growing dominance of the media landscape was on display during the March and April 2013 municipal elections, with public and most private outlets showing a clear bias in favor of the ruling coalition. The sector's balance was drastically

altered in the government's favor by the politicized 2011–12 closures—on dubious legal grounds—of several opposition-oriented outlets, including A1 TV, then the leading television station. Critical outlets continued to disappear in 2013. The independent daily and weekly *Fokus*, known for investigations of corruption and government abuses, both closed shortly after the March death of Mladenov, their founder and managing editor, citing financial pressure from several ongoing defamation cases; the weekly later resumed publication with donor support. Another critical weekly, *Gragjanski*, closed in March, also due to financial difficulties.

Journalists sometimes face physical violence and harassment. Reporters covering interethnic violence in the capital in March were injured when protesters began throwing stones at police and some media workers. Also during the year, two rival papers ran sexist and homophobic features that targeted each other's editors, along with other journalists. Past death threats and other forms of intimidation have not been prosecuted.

Macedonia has a large number of broadcast and print outlets for its population, but progovernment media—including the public MRTV and several private television stations and newspapers—hold a dominant position in the market. A small number of outlets, such as Telma TV and *Fokus*, carry more balanced or critical coverage. Ownership transparency is undermined by the use of proxies and silent partners. Serbian media companies remain the sole foreign investors in Macedonian media after the pullout of German publishing house Westdeutsche Allgemeine Zeitung (WAZ) in 2012. A Serbian-owned media group has a virtual monopoly on printing and distribution. The editor in chief of Alfa TV, sold to a Serbian businessman in 2012, resigned in January 2013 over concerns that the station's critical editorial policy was changing. Foreign media content is not restricted.

The government is regularly criticized for its liberal use of promotional advertising, which increases the media's financial dependence and favors progovernment outlets. The government is the country's largest single advertiser, devoting at least 1 percent of the national budget to campaigns on television, radio, billboards, and online banner ads. During the municipal elections, the ruling parties bought the vast majority of political ads, benefiting from deep pricing discounts from friendly outlets. Journalists face low salaries, poor job security and working conditions, and editorial pressure from owners, and most outlets rely on financial support from government entities or owners' other businesses. This has reportedly led to a general lack of public trust in the Macedonian media.

Access to the internet is restricted only by cost and infrastructural obstacles, with around 61 percent of the population accessing the medium in 2013. Use of social media continues to increase, and news sites and blogs have expanded, but most news content originates in traditional media. In October, the Macedonian Orthodox Church banned clergy from using the social-networking site Facebook, but withdrew the ban in December due to internal disagreement. Instead the church urged clergy to use social media with caution and promised to develop guidelines.

2014 Scores

Press Status

Partly Free

Press Freedom Score

(0 = best, 100 = worst)

(0 = best, 30 = worst)

17

(0 = best, 40 = worst)

21

(0 = best, 30 = worst)

19