

Greece

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Freedom of the Press

Existing protections for press freedom continued to erode during 2013 due to the ongoing economic crisis and related political and societal tensions. The year's setbacks included the abrupt shutdown of the public broadcaster, Hellenic Broadcasting Corporation (ERT), in an opaque procedure in June. The Greek media sector in recent years has experienced widespread staff cutbacks and closures of private outlets as well as increased political and legal pressure on journalists, especially those reporting on the government's controversial austerity policies.

The constitution and various laws include provisions for freedom of speech and the press, and citizens have access to an array of privately owned media outlets. However, there are some legal restrictions, particularly on speech that incites fear, violence, and public disharmony, as well as on publications that are obscene, offend religious beliefs, or advocate violence against the political system. Politicians and private actors launched a number of court cases against journalists during 2013. In December, a lawyer representing the far-right party Golden Dawn sued three employees of *Workers' Solidarity*, a newspaper published by the Socialist Workers' Party of Greece, for defamation over an article exposing Golden Dawn's efforts to bar second-generation immigrants from obtaining Greek citizenship. Also in December, Health Minister Adonis Georgiadis filed extortion charges against journalist Kostas Vaxevanis after he published an article in *Hot Doc* magazine that contained evidence of Georgiadis's dealings with private pharmaceutical companies. At the time, Vaxevanis had recently emerged from another legal battle over his publication in 2012 of the so-called Lagarde List, which identified prominent Greek citizens who had accounts in Swiss banks and were suspected of tax evasion. He had faced a charge of violating privacy in that case since 2012, but a retrial in November 2013 resulted in his acquittal. In October, a journalist was arrested after defamation charges were filed against him by Panos Kammenos, the leader of the Independent Greeks political party. Golden Dawn was especially active in using legal means to pressure journalists and media outlets. Members of the party filed defamation charges against multiple journalists—including one who had called a party member a “neo-Nazi”—and against a radio station that had aired critical opinions of the group.

In June, ERT was closed by ministerial decree with no parliamentary discussion, resulting in the dismissal of its 2,700 employees. Greece had been under pressure from international lenders and the European Union to step up cost-cutting measures, and critics of the ERT shutdown noted that the government had agreed to eliminate 2,000 public-sector jobs by the end of the summer. Critics also noted that the shutdown, justified by the government as an effort to combat financial excesses and nontransparency in the media, might not have a sound legal basis. Articles 14 and 15 of the constitution guarantee the existence of a national broadcaster and empower the National Committee of Radio-Television (NCRTV) as the sole regulator of broadcasting. Although the government announced plans for a new broadcaster, New Hellenic Radio, Internet, and Television (NERIT), to replace ERT, no measures were taken to ensure continued broadcasts before the projected launch of NERIT in 2014. The interim state-owned television station Dimosia Tileorasi began operating a month after the ERT shutdown, and an interim radio service was not launched until the end of September. Moreover, Article 44 of the constitution states that ministerial decrees are to be used in national emergencies and must be approved by the parliament within 40 days. As the decree shutting down ERT was not approved within this deadline, some observers questioned its legality.

There were few changes to Greece's murky regulatory environment for broadcasting in 2013. The most recent licensing tender was held in 2002 for radio stations and in the late 1990s for television stations; these licenses have since expired. The government has instead issued successive one-year extensions of the licenses, a practice that continued despite a 2011 decision by the Council of State declaring it unconstitutional. In lieu of a license, many stations rely on a "certificate of legality" that can be revoked at any time, while others operate without any legal status. Radio stations with a certificate are forced to operate on the same frequencies they utilized in 1999, even if state broadcasters or stations from neighboring countries have occupied the frequency. The terms of several members of the NCRTV, including its president, ended in 2012, but they remained in their positions despite the Council of State's October declaration that this situation was also unconstitutional. In August, the NCRTV was completely bypassed when the government permanently legalized Greece's seven national private television stations without the regulator's input.

Journalists' right to confidentiality was threatened in 2013. Press organizations protested against prosecutors' use of transcripts of at least a dozen telephone conversations between Greek or foreign journalists and activists from Hellenic Mine Watch, a nongovernmental organization (NGO) that opposes controversial gold-mining operations in the Halkidiki region. The NGO had been labeled a "criminal organization" and was the subject of a criminal investigation.

The political environment surrounding the media sector was highly charged in the second half of 2013, following the ERT shutdown. Many former employees staged a sit-in at the ERT headquarters in Athens and a number of regional offices, and the country's two largest labor unions called a general strike—the third such strike in 2013. These events sparked a standoff between the state and the former employees, who had occupied the ERT headquarters and continued the station's operations as late as November using internet transmissions. On at least two occasions, satellite providers based in Israel and Luxembourg dropped ERT's feed as a result of pressure from the Greek government, which appealed both to the companies and their respective governments. Various radio and television stations in Greece rebroadcast the programming produced by ERT's employees, but faced difficulties in doing so. The digital television provider DIGEA replaced the transmissions of the station 902 TV with a test pattern whenever it rebroadcast ERT, while radio stations retransmitting ERT programming were warned that they could be shut down for rebroadcasting an "illegal" station. The shutdown of ERT particularly affected rural areas and border regions, where Greek private broadcasters and other Greek media are often unavailable. The situation ended on November 7, when police raided the ERT headquarters and evicted the occupiers, barring access to other journalists in the process.

In addition to legal and political pressures on the media, there were a number of physical attacks on journalists during the year. On several occasions, journalists were assaulted or threatened by members of Golden Dawn. In March, riot police attacked journalists at a protest outside the parliament. Makeshift bombs exploded in January outside the homes of five journalists; despite police investigations, no arrests had been made in connection with the bombings at year's end. In February, after an exposé published in the magazine *Unfollow* included allegations of tax evasion by shipping magnate Dimitris Melissanidis, one of the magazine's journalists claimed to have received a phone call that featured death threats from Melissanidis; the call was traced to the offices of Aegean Oil, one of his companies.

Both public and private media in Greece tend to report with a progovernment bias. There are several independent publications and websites, including some that portray the government unfavorably. However, many media owners have a close relationship with the government, and this is often reflected in a lack of critical commentary on key issues. On several occasions in 2013, news content that was seen as unfavorable toward government policy was censored by both public and private media outlets, while outlets that are seen as critical toward government policy were often sanctioned. Popular news radio station Real FM faced multiple fines from the NCRTV over trivial violations of broadcasting law, even as

stations that are more friendly to the government were not punished for similar offenses. Police attempted to influence media coverage in at least one instance by providing digitally altered photographs of four suspects who were arrested in connection with a robbery; the suspects were allegedly beaten and tortured in police custody, but their injuries were airbrushed out of photos provided to the media. In addition to their raid of the ERT headquarters, police raided the University of Athens campus in April to shut down the servers of Athens Indymedia and two student-run radio stations.

A 2007 media law requires that the main language of radio stations be Greek, and that radio stations keep certain funds in reserve and hire a minimum number of full-time staff. This places a disproportionate burden on smaller and municipally owned stations. The same law permits stations owned by political parties to operate without a license. In September 2013, the NCRTV allowed ART TV, a station owned by the LAOS political party, to broadcast nationally via terrestrial digital television even though LAOS has not been in the parliament since the 2012 elections. ART FM, also owned by LAOS, was similarly allowed to remain on air. The NCRTV argued that both actions were justified because LAOS still held seats in the European Parliament.

The financial crisis and the resulting decline in circulation and advertising continues to adversely impact Greece's media sector. Numerous media outlets have shut down, reduced staff and salaries, scaled down or eliminated their news departments, or failed to pay wages. During 2013, several broadcast stations and newspapers ceased operations, and strikes, usually due to unpaid wages, were frequent.

Although information on the ownership of radio and television outlets is available to the public, the exact structure of ownership is veiled by the holding companies and little-known entities listed in official records, and no ownership information is provided for print or online media. There are significant barriers in the media market—especially in broadcasting, as the country's licensing and regulatory problems leave purchasing an existing station as the only way to enter the sector. In June 2013, the government issued a tender for companies to construct a nationwide network of terrestrial digital television transmitters. The application period for this tender ran concurrently with the closure of ERT, effectively shutting out any national public broadcaster from the process. The tender was tailored in such a way that only one company met the requirements: DIGEA, a consortium of the six largest television stations in the country. This would grant DIGEA a nationwide monopoly, allowing it to set the terms of access to its transmitters and to decide which broadcasters can use them. DIGEA's transmitters were notably used for the interim public broadcaster that was launched after the ERT closure.

A new law permits unpaid employees of radio stations to apply to the NCRTV to take control of their station's license, but some of the law's requirements—for example, the private funds and letters of credit that employees must provide—form practical barriers to its implementation. Sharply rising utility costs and prohibitive music licensing fees—an issue discussed by the parliament after a radio station was forced to rely exclusively on copyright-free music—further contributed to the economic difficulties of media outlets in 2013. Despite the crisis, Mega Channel, the largest private television station in the country, received a €98 million (\$128 million) loan from a consortium of banks at a time when Greek banks have had to be recapitalized and when lending is highly selective. Mega Channel was also sued by parliamentary opposition members for owing approximately €1.3 million to a state insurance fund, though the state itself had not taken action against the station by year's end. In December, television stations were again exempted from a 20 percent tax on advertising revenues, which had been imposed in 2010 but never collected. The exemption will last until 2015.

Nearly 60 percent of the population accessed the internet regularly in 2013, and access is generally not restricted. Many journalists and citizens utilize the internet to disseminate independent or alternative viewpoints. However, in 2013 the government successfully took control of two domain names, nerit.gr and eu2014.gr, that had been registered by private citizens. Nerit.gr was registered by a blogger following the

formation of the new state broadcaster NERIT, while eu2014.gr had been registered in advance of Greece's assumption of the rotating European Union presidency in 2014, by a citizen who wished to protest government policies.

2014 Scores

Press Status

Partly Free

Press Freedom Score

(0 = best, 100 = worst)

46

Legal Environment

(0 = best, 30 = worst)

14

Political Environment

(0 = best, 40 = worst)

20

Economic Environment

(0 = best, 30 = worst)

12