

# Working Paper

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**Assisting Media  
Democratization after  
Low-Intensity Conflict:  
The Case of Macedonia**



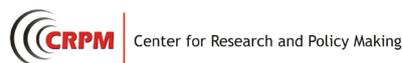
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# Assisting Media Democratization after Low-Intensity Conflict

## The Case of Macedonia

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Tamara Dimitrijevska-Markoski and Zhidas Daskalovski



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Democracy for Development  
Demokraci për zhvillim  
Demokratija za razvoj



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# 1.

## Introduction

The Republic of Macedonia is a landlocked country in Southeast Europe. According to the 2002 census the country has just above 2 million inhabitants, the majority being ethnic Macedonians (64%) and ethnic Albanians (25%), and the rest (11%) belonging to other ethnic groups such as Roma, Turks, Serbs, Vlachs, Bosniaks etc.<sup>1</sup> Politically, it is a parliamentary democracy with an executive government, a unicameral legislator and a largely ceremonial president. Macedonia is a member of the United Nations, the Council of Europe and a candidate country of the European Union. In international relations the country is referred to as the former Yugoslav Republic of Macedonia (FYR of Macedonia) because of an unresolved dispute over the name with Greece, which has a region called Greek Macedonia bordering on the south of the country, and negates the right of Macedonia to name itself as such.

In view of recent history, Macedonia is a successor state of the multi-ethnic Yugoslav Federation from which it declared its independence in 1991. Macedonia was not affected by the armed conflicts in the early 1990s when Yugoslavia fell apart but experienced unrest as a fallout from the Kosovo crisis after Albanian refugees from Kosovo fled to Macedonia. In the early 2000s, a short-lived armed conflict ensued between Macedonian forces and Albanians who sought autonomy for the mainly Albanian-populated area of Macedonia. The Ohrid Framework Agreement facilitated by the United States and the European Union reestablished peace and laid the foundations for a better representation of minorities and their rights in Macedonian politics.

Although Yugoslavia was considered a more liberal regime than other so-called communist countries, the media system was characterized by a significant level of censorship and propaganda. Since its independence, Macedonia has undergone rapid democratization and liberalization throughout all public and private sectors which has also affected the media sector. Policy makers have tackled various technical, market and regulatory issues, such as professional standards, political independence, and ownership principles.

According to the IREX Media Sustainability Index (MSI), the Macedonian media system progressed until 2005, when it reached its peak, and has since been in constant decline. In 2001 the overall MSI was 1.73, which improved to 2.58 in 2005, only to fall to 1.52 in 2012, which is the lowest score Macedonia has ever received

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<sup>1</sup> *Census of Population, Households, and Dwellings in the Republic of Macedonia, 2002-Book III* (Skopje: State Statistical Office, 2005), p. 15.

since IREX has monitored it. The reasons behind the deteriorating Macedonian scores are the consequences of the “long-term trend towards state control, politicization and economic deterioration.”<sup>2</sup>

**Table 1: MSI in given years for the Republic of Macedonia**

Indicator	2001	2005	2009	2011
Free speech	1.72	2.49	1.65	1.66
Professional Journalism	1.89	2.48	1.66	1.69
Plurality of news sources	2.17	2.67	1.93	1.70
Business Management	1.33	2.45	1.61	1.39
Supporting Institutions	1.55	2.83	1.71	1.79
Overall Country Average	1.73	2.58	1.71	1.65

Source: IREX 2001-2011<sup>3</sup>

Similarly, the sections of the European Commission (EC) Progress Reports for Macedonia that deal with the state of affairs in the media sector reflect this negative trend. The EC has repetitively expressed concerns about the uneven implementation of the legal and regulatory framework,<sup>4</sup> the vulnerability of the Broadcasting Council and the Public Service Broadcaster to political interference,<sup>5</sup> the financial dependence of Macedonian Radio Television (hereinafter: MRTV),<sup>6</sup> the inability of the regulator to monitor the media market effectively<sup>7</sup> as well as the disproportionately large share of governmental advertising in the overall advertising market.<sup>8</sup>

This chapter offers an analysis of media development in relation to international media assistance in the Republic of Macedonia. Given the importance of media assistance programs and projects in Macedonia over the last two decades, this

<sup>2</sup> International Research and Exchanges Board (IREX), *Media Sustainability Index 2013: The Development of Sustainable Independent Media in Europe and Eurasia* (Washington: IREX, 2013), p. 78.

<sup>3</sup> International Research and Exchanges Board (IREX), *Media Sustainability Index: Europe & Eurasia: Compilation of Annual Scores, 2001-2011*. (Washington: IREX, 2012).

<sup>4</sup> European Commission, *The Former Yugoslav Republic of Macedonia: Progress Report 2010* (Brussels: European Commission, November 9, 2010), p. 61.

<sup>5</sup> European Commission, *The Former Yugoslav Republic of Macedonia: Progress Report 2007* (Brussels: European Commission, November 6, 2007), p. 13; European Commission, *The Former Yugoslav Republic of Macedonia: Progress Report 2009* (Brussels: European Commission, October 14, 2009), p. 17.

<sup>6</sup> European Commission, *The Former Yugoslav Republic of Macedonia: Progress Report 2006* (Brussels: European Commission, November 8, 2006), p. 13.

<sup>7</sup> European Commission, *The Former Yugoslav Republic of Macedonia: Progress Report 2010*, p. 41.

<sup>8</sup> *Ibid*, p. 16.

chapter examines the complex interplay of factors that conditioned the success or failure of such media development efforts. We chart the international donors' media assistance with a particular emphasis on the nature of the assistance strategies deployed. Our main argument is that media assistance efforts had the biggest impact on the development of the legal framework and the professionalization of journalism and were less successful in eliminating the political influences over editorial policies of private and public media, and over the regulatory agency.

The chapter is structured as follows: In the first section, a brief overview of the recent political history and system of the Republic of Macedonia is provided, followed by a summary of the defining elements of the local media system. The second section discusses international donor involvement in the media assistance projects, analyzes the nature and scope of assistance strategies and develops a conclusion for the sustainability of media assistance results. The chapter proceeds with three in-depth case studies: the Broadcasting Council, Macedonian Radio Television and the Macedonian Institute for Media.

## 2.

# Background: Political System and Media System

## 2.1 Democratic Transition after Yugoslavia

Modern Macedonia emerged in 1945 as one of the six constituent republics of the Socialist Federal Republic of Yugoslavia. When Yugoslavia disintegrated in the second half of 1991, Macedonia chose to assert its own independence rather than remain in a truncated Yugoslav state likely to be dominated by Milosevic's Serbia without the counterbalancing influences of Croatia and Slovenia. Yet, the transformation of Macedonian society was characterized by an uneasy period of state building. Among the different factors that negatively influenced the democratic transition were:

- difficulties with the international recognition of the country;
- the Greek embargo, as well as diplomatic and economic pressures for the republic to change its name;<sup>9</sup>
- the disruption of the economy due to UN sanctions on Macedonia's main trade partner Serbia;
- financial impediments as a result of the NATO bombing of Yugoslavia and the Kosovo refugee crisis; and
- the internal armed conflict in 2001 when the Albanian minority demanded greater rights and autonomy for the Albanians in Macedonia.

Fortunately for Macedonia the internal armed conflict quickly ended through an EU and U.S. mediated agreement, signed in August of the same year. The so-called Ohrid Framework Agreement (hereinafter: OFA) envisioned a series of political and constitutional reforms aiming to accommodate the grievances of the Albanian community, while at the same time preserving the unitary character of the state, thus addressing the concerns of the Macedonian majority who feared

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<sup>9</sup> Greece claims that the name is exclusively part of its cultural and historical heritage. Athens insists that Macedonia must add a "qualifier" to its name in order to differentiate the country from the northern province of Greece bearing the same name. Greece also argues that the name implies territorial irredentism. Macedonia has renounced any claims on Greek territory, but it regards its name as a core part of its national identity. The view from Skopje is that Macedonians have a right to self-determination.

a ‘federalization’ of the country and its eventual disintegration. In meeting many of the demands raised by the Macedonian Albanians throughout the 1990s, the agreement introduced features of consociational power sharing, such as a system of double majorities requiring consent from minorities (labeled ‘ethnic communities’ by the law) represented in parliament to key decisions of the Parliament (the right of minority veto), and when voting the members of the Supreme Court, Juridical Council and the Public Attorney. A substantial degree of decentralization has also been implemented.<sup>10</sup>

Further hindering democratization was the ‘state politicization’ which Zielonka and Mancini label as being the distinctive common feature among Central and Eastern European (hereinafter: CEE) countries.<sup>11</sup> Zielonka and Mancini point out that in Central and Eastern Europe, “laws are often shaped by ad hoc need of political agents rather than by a priory policy objectives, legal enforcement favors partisan political interests; political loyalty rather than merit is used for advancement, state structures are weak, volatile and prone to capture by political competitors; floating laws and procedures often lead to legal uncertainty and ultimately to assertion of informal rules over formal ones.”<sup>12</sup> Macedonia is not an exception to this regional trend. In the case of media legislation, although the legal framework was amended on numerous occasions, it is still inadequate and puts pressure on journalists, gives greater public scrutiny to public figures, and fails to meet international standards.<sup>13</sup> In addition to this, there are restrictive and arbitrary procedures subject to political interferences<sup>14</sup> and fuzzy ownership structures.<sup>15</sup>

Notwithstanding the striking similarities between Macedonia and the other CEE countries, there is one notable difference. Hallin and Mancini argue that in societies characterized by high political parallelism and coalition governments it is difficult (for the government) to achieve direct control over the broadcasting system.<sup>16</sup> The Macedonian case proves the contrary. Since 2001 all of the governments have been coalition governments between ethnic Macedonian and ethnic Albanian political parties. These parties applied pedantic distribution of spheres of influence whereby the Macedonian party influenced the Macedonian language media, and

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<sup>10</sup> Zhidas Daskalovski, *Walking on the Edge: Consolidating Multiethnic Macedonia 1989-2004* (Globe: Chapel Hill, 2006).

<sup>11</sup> Jan Zielonka and Paolo Mancini, *Executive Summary: A Media Map of Central and Eastern Europe* (Oxford: University of Oxford, 2011), p. 2.

<sup>12</sup> Zielonka and Mancini, *Executive Summary: A Media Map of Central and Eastern Europe*, pp. 3-6.

<sup>13</sup> Gazmend Ajdini, “Macedonia,” in *Media Sustainability Index 2013: The Development of Sustainable Independent Media in Europe and Eurasia* (Washington: IREX, 2013), p. 81.

<sup>14</sup> *Ibid.*, p. 81.

<sup>15</sup> Freedom House, “Freedom of the Press: Macedonia,” (Freedom House, 2012).

<sup>16</sup> Daniel Hallin and Paolo Mancini, *Comparing Media Systems: Three Models of Media and Politics* (Cambridge: Cambridge University Press, 2004).

the Albanian political party exercised its influence in the Albanian language media. Moreover, the Macedonian and Albanian coalition partners were united in the aim to control the broadcasting system and assuage opposition voices. Tsebelis also points out that the number and location of veto players affects policy stability and argues that “coalition governments work essentially the same as chambers in a bicameral system: in both cases agreement is necessary for a change in the status quo.”<sup>17</sup> The case of Macedonia has shown that the issue of exercising influence over the broadcasting system has not produced a clash in the agenda of the governing coalition. Therefore, although de-facto coalition governments were (and still are) in power, they have managed to successfully unite their interests and exercise influence over the broadcasting system.

## 2.2 Liberalization of the Media Sector

Jakubowicz identified three stages of media development, each with its own peculiarities,<sup>18</sup> which the Macedonian media system closely followed. Macedonia was in the first stage in the period 1991-1997, characterized by demonopolization, decentralization, and internalization of television content. The second period, which lasted between 1998 and 2005, was distinguished by the introduction of new legislation and appearance of journalistic professionalization in the newly created commercial media. The third period, which is still ongoing, started in 2006 and features legislative consolidation, continuing professionalization and the beginning of media concentration combined with the growing influence of foreign capital.

Following the disjuncting of Macedonia from Yugoslavia, a period of liberalization of the media market occurred. In socialist Yugoslavia, the Macedonian media system was subject to strong state control and absence of alternative media<sup>19</sup> and the only existent broadcasting media was state owned TV Skopje. As of 1991, liberalization and deregulation started at the top with a new Constitution, but media laws took

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<sup>17</sup> George Tsebelis, *Veto Players: How Political Institutions Work* (Princeton: Princeton University Press; New York: Russell Sage Foundation, 2002), p. 6.

<sup>18</sup> Karol Jakubowicz, “Public Service Broadcasting: Product (and Victim?) of Public Policy,” in *The Handbook of Global Media and Communication Policy*, ed. Robin Mansell and Marc Raboy (Malden: Wiley-Blackwell, 2011).

<sup>19</sup> Macedonian Institute for Media, *Development of the Media in Macedonia According to UNESCO Indicators* (Skopje: Macedonian Institute for Media, 2012), p. 3; Christopher Bennett, “How Yugoslavia’s Destroyers Harnessed the Media,” *Frontline*.

another six years to be adopted.<sup>20</sup> Article 16 of the 1991 Constitution guarantees “the freedom of personal conviction, conscience, thought and public expression of thought.” The Constitution also carries a specific provision on media freedoms according to which “freedom of speech, public address, public information and the establishment of institutions for public information is guaranteed” (article 16 of the Constitution). Moreover, source protection is granted to mass media and censorship is explicitly banned.

In the legal vacuum until the new media law took effect, the media sector was vibrant but highly fragmented and chaotic. Until the first Law on Broadcasting Activity<sup>21</sup> was adopted in 1997, there were more than 210 radio and/or television stations operating in the country.<sup>22</sup> A year after the adoption of the Law on Broadcasting Activity, two additional laws were enacted: The Law on the Establishment of the Public Enterprise Macedonian Radio Television<sup>23</sup> and the Law on the Establishment of the Public Enterprise Macedonian Broadcasting.<sup>24</sup> These laws set the basis for the transformation of MRTV into a public service broadcaster. However, the legal framework being inadequate, all of these laws were consolidated in a new Law on Broadcasting Activity (hereinafter: LBA) from 2005<sup>25</sup> which was praised by almost all international organizations monitoring the country, namely OSCE, CoE, and EU.<sup>26</sup> Since then, the LBA has been amended on several occasions.<sup>27</sup> In parts, these amendments were criticized as legal backslide with regard to the independence of the media regulatory agency (for more information see the section

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<sup>20</sup> Zhidas Daskalovski, “A Study of the Legal Framework of the Macedonian Broadcasting Media (1991-1998): From Deregulation to a European Paradigm,” *Balkanistica* 14, 2001.

<sup>21</sup> “Zakon za radiodifuznata dejnost,” [Law on Broadcasting Activity], *Official Gazette of Republic of Macedonia* 20/1997.

<sup>22</sup> Dona Kolar-Panov, “Broadcasting in Macedonia: Between the State and the Market” (paper presented at the colloquium on ‘Media ownership and control in East and Central Europe’, sponsored by WACC, the Slovenian Broadcasting Council, and the Ministry of Science and Technology of the Republic of Slovenia, Piran, Slovenia, April 8-10, 1999), p. 5.

<sup>23</sup> “Zakon za osnivanje na javno pretprijatie Makedonska Radiodifuzija,” [Law on the Establishment of the Public Enterprise Macedonian Radio Television] *Official Gazette of Republic of Macedonia* 6/1998.

<sup>24</sup> Ibid.

<sup>25</sup> “Zakon za radiodifuznata dejnost,” [Law on Broadcasting Activity], *Official Gazette of Republic of Macedonia* 100/2005.

<sup>26</sup> Karol Jakubowicz and Directorate General for Information Society and Media (Audiovisual and Media Policies Unit) of the European Commission, Analysis and Review of a Draft Law on Broadcasting Activity of “the former Yugoslav Republic of Macedonia” prepared by the Ministry of Transport and Communications (Strasbourg: Council of Europe, May 20, 2005) and “OSCE Media Freedom Representative Welcomes New Macedonian Broadcast Law,” Organization for Security and Co-operation in Europe, November 11, 2005.

<sup>27</sup> Amendments of the Law on Broadcasting Activity from: February 19, 2007; August 19, 2008; December 5, 2008; January 15, 2010; November 5, 2010; July 18, 2011; January 27, 2012.

on Broadcasting Council) and the slow transformation and dependency of MRTV on governmental funds<sup>28</sup> (for more information see the section on MRTV).

Another problematic aspect in the legal framework was the criminalization of defamation and libel. This practice was finally changed in 2012 when the parliament adopted on 12 November a new civil law regulating insult and defamation and removed sanctions for speech offences from the Criminal Code.<sup>29</sup> When libel and defamation were still criminal offenses, it was believed that they had a negative impact on the exercise of freedom of speech. As an illustration, in 2010 there were 170 defamation cases,<sup>30</sup> which is more than England and Wales combined. A 2011 survey reveals that in 41% of the monitored cases the period between filing a libel and defamation claim to the first court hearing was more than 180 days,<sup>31</sup> which creates room for intimidation of those journalists. Following the legal changes, the civil procedure corresponds with international best practices, but some experts argue that the envisioned fines are still very high.<sup>32</sup>

Of on-going concern for media workers and the public is the draft of the new overarching Media law. The government announced that it is in the process of drafting a new overarching Law on the Media; however, for a long time the draft version was not made publicly available.<sup>33</sup> Only after strong pressure from media professionals and civil society activists did the government publish the draft law on the electronic national registry where interested parties could leave comments,<sup>34</sup> and organize a public debate. However, the Association of Journalists of Macedonia (hereinafter: AJM) as well as the Media Development Center (hereinafter: MDC) and the Macedonian Institute for Media (hereinafter: MIM) believe that media

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<sup>28</sup> Tanja Popovic, "The former Yugoslav Republic of Macedonia," in *Media in Multilingual Societies: Freedom And Responsibility*, ed. Ana Karlsreiter (Vienna: Organization for Security and Co-operation in Europe, 2003), pp. 21-49.

<sup>29</sup> "Press Release OSCE Media Freedom Representative Welcomes Skopje Authorities' Decriminalization of Libel," Organization for Security and Co-operation in Europe, November 14, 2012.

<sup>30</sup> International Media Freedom Mission, Macedonia Report (International Media Freedom Mission, 2012), p. 7.

<sup>31</sup> Dragana Kiprijanovska, *Monitoring the Court Cases Against Journalist Accused of Defamation and Insult* (Skopje: Coalition of Civil Associations "All for Fair Trials", 2011), p. 34.

<sup>32</sup> Jakov Sinisa Marusic, "Macedonian Journalists Cry Foul Over Libel Reform," *Balkan Insight*, June 15, 2012; Jakov Sinisa Marusic, "Libel Law Changes Criticized in Macedonia," *Balkan Insight*, November 13, 2012.

<sup>33</sup> Mihajlo Vidimliski, "Eksperti-noviot zakon za medium se nosi zad zatvoreni vrati," [Experts-the New Law Should Not Be Passed Behind Closed Doors], *24 Vesti*, November 12, 2012.

<sup>34</sup> "Central Electronic Registry of Regulations 2013," Government of the Republic of Macedonia, [www.ener.gov.mk](http://www.ener.gov.mk) (Accessed on May 1, 2013).

professionals were left out of the drafting process, and they demand more time for public discussion<sup>35</sup> and increased transparency.<sup>36</sup>

## 2.3 The Media Market

In the period between 1991 and 1997 privately owned TV and radio stations rapidly emerged throughout the country. In 1991 the first private radio station was opened and in 1993 the first private TV station (A1). By the beginning of 1994, there was uncoordinated market entry of new media and the estimation is that there were 191 broadcasters in Macedonia. The capital Skopje alone had 80 broadcasters (38 radio stations, 6 televisions, and 36 radio and television stations). The vast majority of broadcasters were owned by private individuals or companies.<sup>37</sup>

Compared with a population of 2 million, the broadcasting media market abounds with a large number of TV and radio outlets.<sup>38</sup> Currently, there are 10 TV stations and one Public Service Broadcaster with 3 channels with national coverage; 9 TV stations with regional coverage; and 48 TV stations with local coverage<sup>39</sup>. There are 5 radio stations with national coverage, 3 of which are private stations, and 2 national stations operated by MRTV. There are also 17 regional, and 60 local radio stations<sup>40</sup>.

Significant foreign investments, with the exception of that of WAZ,<sup>41</sup> which bought a number of print media including the most influential, *Dnevnik*, have not been made in the media market.<sup>42</sup> OSCE Representative for the Freedom of Media, Miklos Haraszti, pointed out that “the economic stability [of the media outlets] is shaky, as many of the media outlets are vulnerable and exposed to commercial and

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<sup>35</sup> “Novinarite revoltirano ja napustija debatata za Zakonot za medium,” [Journalists, Revolted Left the Debate on the Media Law], *A1on*, April 8, 2013.

<sup>36</sup> Ohrid News, “Novinarite baraat otvorena debata za zakonot za mediumi,” [Journalists Demand Open Debate the Media Law], Association of Journalists of Macedonia, April 8, 2013.

<sup>37</sup> Daskalovski, “A Study of the Legal Framework of the Macedonian Broadcasting Media (1991-1998)”.

<sup>38</sup> Kolar-Panov, “Broadcasting in Macedonia: Between the State and the Market,” p. 1

<sup>39</sup> Broadcasting Council, List of Registered TV Outlets: last updated in April 2013 (Skopje: Broadcasting Council of the Republic of Macedonia, 2013).

<sup>40</sup> Broadcasting Council, List of Registered Radio Stations: last updated in April 2013 (Skopje: Broadcasting Council of the Republic of Macedonia, 2013).

<sup>41</sup> Agnes Handwerk and Harrie Willems, “WAZ and the Buy-out of the Macedonian Independent Press,” *Media Online: Southeast European Media Journal*, February 23, 2004.

<sup>42</sup> Kolar-Panov, “Broadcasting in Macedonia: Between the State and the Market,” p. 2.

political pressures,<sup>43</sup> and this is one of the most influential reasons behind the reluctance of foreign investors to enter the Macedonian media market.

An additional problem is that the government is one of the biggest advertisers in that market.<sup>44</sup> Since 2004 government expenditures for advertising in the media have increased by a factor of 11.<sup>45</sup> In 2008 the government invested 12 million EUR and ranked as the fifth largest advertiser. In the following year it bought advertising for 17 million EUR, which rendered it the second largest advertiser of the country.<sup>46</sup> Also in this context the government has been accused of a lack of transparency in the way it chooses media outlets to telecast its advertisements.<sup>47</sup> That allows the government to “arbitrarily disperse advertising funds to favorable media, or to openly bribe them to support their viewpoint.”<sup>48</sup> There are no official public figures that would reveal how much the government spends on public advertisements per media outlet but the available information indicates that the biggest beneficiaries are those media with close links to the government. Contrary to logic, public advertising does not directly correlate with audience share, but with political ties.<sup>49</sup>

Johnson argues that in highly polarized and politically fragmented societies, there is extreme competition among media outlets for rather limited resources, which ultimately leads to hyper competition.<sup>50</sup> In Macedonia outlets are influenced by business and political lobby groups,<sup>51</sup> where media outlets cherish good relations with political parties, and extract revenues from political patronage rather than the market. This is in conformity with the findings of Zielonka and Manicini who

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<sup>43</sup> Miklos Haraszti, *The State of Media Freedom in the Yugoslav Republic of Macedonia: Observations and Recommendations* (Vienna: Organization for Security and Co-operation in Europe, 2005), p. 2.

<sup>44</sup> Broadcasting Council, *Analiza na pazarot na radiodifuzna dejnost 2011 [Analysis of the Market for Broadcasting 2011]* (Skopje: Broadcasting Council of the Republic of Macedonia, 2012), p. 18.

<sup>45</sup> Kristina Ozimec, “Vladata se reklamira po nepoznata pravila na igra” [The Government Advertises Using Unknown Market Rules], *Kapital*, February 15, 2012.

<sup>46</sup> Ibid.

<sup>47</sup> Matthew Brunwasser, “Concerns Grow About Authoritarianism in Macedonia,” *New York Times*, October 13, 2011; Gazmend Ajdini, “Macedonia,” in *Media Sustainability Index 2012: The Development of Sustainable Independent Media in Europe and Eurasia* (Washington: IREX, 2012) and Borce Manevski and Adriana Skerlev-Cakar, “Macedonia,” in *The Media in South-East Europe: A Comparative Media Law and Policy Study*, ed. Beate Martin, Alexander Scheuer and Christian Bron (Berlin: Friedrich Ebert Foundation, 2011), p. 87.

<sup>48</sup> International Research and Exchanges Board (IREX). *Media Sustainability Index 2012: Macedonia at a Glance*. (Washington: IREX, 2012), p. 94.

<sup>49</sup> Zorana Gadzovska Spasovska, “Sovet za radiodifuzija ili lustracija na radiodifuzeri,” [Broadcasting Council or Lustration for Broadcasters], *Radio Free Europe*, 2012.

<sup>50</sup> Howley Johnson, “Model Interventions: The Evolution of Media Development Strategies in Bosnia-Herzegovina, Kosovo, and Macedonia from 2000 to 2007” (PhD diss, Columbia University, 2012), p. 80.

<sup>51</sup> Manevski and Skerlev-Cakar, “Macedonia,” p. 87.

have identified that in CEE “local owners often seek not only economic gains, but also - and often primarily - political influence.”<sup>52</sup>

The distorted market reality is visible through the financial documents of the outlets and through the co-relation between the viewership rate of a media outlet and its advertisement revenues. The Broadcasting Council publish an annual analysis of the Broadcasting Market and in the Report for 2011 only five TV outlets had a positive financial balance (Sitel, Kanal 5, Telma, Alsat-M, and TV Nasha), the rest of the TV outlets have been working with loses. With regard to the radio, all of the radios had a positive financial balance,<sup>53</sup> and as yet there is no information on the print media. However, the analysis of the Broadcasting Council also suggests that the viewership does not correlate with the total revenues or with revenues from advertisements. As an illustration, MRTV has a viewership of 8,20 percent and income from advertisements of 11,31 million MKD, while TV Telma has a viewership of 3 percent, and 86,68 million MKD in advertisement revenue and Kanal 5 a viewership of 9 percent and advertisement revenues of 343,41 million MKD.<sup>54</sup>

## 2.4 Media and Politics (Political Parallelism)

Despite a diverse media landscape in terms of titles and channels that represent a spectrum of political viewpoints, there are concerns about the high level of political parallelism.<sup>55</sup> Hallin and Mancini define political parallelism as: “links between political actors and the media and more generally the extent to which the media reflects political divisions.”<sup>56</sup> Even though media outlets do not openly and publicly support any political party or coalition, there are clear indicators of significant relations among media and political parties. This is directly discernible from media ownership. Quite a few television stations are considered politically influenced since the owners of these outlets are also political leaders. For instance:

The most influential electronic outlet until 2010, *A1 Television*, was owned by Velija Ramkovski, a leader of the Party for Economic Renewal. Ramkovski also owned two daily newspapers (*Vreme* and *Koha*).

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<sup>52</sup> Zielonka and Mancini, *Executive Summary: A Media Map of Central and Eastern Europe*, p. 4.

<sup>53</sup> Broadcasting Council, *Analysis of the Broadcasting Activity Market for 2011*, pp. 7-10, p. 36.

<sup>54</sup> *Ibid*, p. 10.

<sup>55</sup> Manevski and Skerlev-Cakar, “Macedonia,” p. 85.

<sup>56</sup> Hallin and Mancini, *Comparing Media Systems: Three Models of Media and Politics*.

*Sitel TV* is owned by Goran Ivanov, son of Ljubisav Ivanov, who is the president of the Socialist Party.

*Channel 5* is owned by Emil Stojmenov, son of Boris Stojmenov, who is the leader of the VMRO–Vistinska party.

The family of an ethnic-Albanian businessman, Vebi Velija, owns *Alsat TV*.

The previous owner of TV ALFA was businessman Shterjo Nakov, who is close to the leader of the biggest opposition party SDSM. There are unconfirmed rumors that the new owner of this television station is a person close to the ruling party.

In addition to ownership structure, biased media output is another feature which points to political parallelism. As an example, immediately after the purchase of TV ALFA, key personnel of political programs were changed and new political programs were introduced. Some of the political debate programs were cancelled,<sup>57</sup> and there was a transfer of journalists from the pro-government media such as MRTV, SITEL, Vecer and Dnevnik to TV ALFA.<sup>58</sup>

The biased reporting is also visible during election campaigns where equal [quantitative] allocation of time to all candidates and political parties is not properly followed.<sup>59</sup> During the last local elections in March 2013, at MRTV and most of the other channels the governing coalition was allocated disproportionately more time than the opposition and smaller parties.<sup>60</sup> Furthermore, during electoral campaigns the government coalition is “represented in a disproportionately favorable light and the opposition in a disproportionately negative light.”<sup>61</sup>

As far as political coverage is concerned, the editorial and content bias in Macedonian media is widespread. The pro-government media is accused of being “a prolonged governmental hand.”<sup>62</sup> Prominent journalists such as Milenko Nedelkovski, who has his own TV show,<sup>63</sup> Janko Ilkovski, who has his own show called “Jadi Burek” [Eat Burek], and Dragan Pavlovic Latas,<sup>64</sup> a news anchor of Sitel, are associated with the ruling party. It is also common for journalists to

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<sup>57</sup> These political programs were cancelled: “Win-Win” and “Word by Word”. The former show is now broadcast on ALSAT-M television station.

<sup>58</sup> Infocentar, *Media Mirror Further Deterioration of Media Freedoms and Freedom of Expression: Monitoring of Media in Republic of Macedonia: Report 1 - 2013* (Skopje: Infocentar, 2013), p. 4.

<sup>59</sup> Ljubomir Jakimovski et al., *My Choice 2011* (Skopje: Macedonian Institute for Media, 2011), p. 26.

<sup>60</sup> Broadcasting Council, *Izvestaj od Mediumsko Pokrivanje na Izbornata Kampanja za Lokalnite Izbore 2013* [Report on the Media Coverage of the Electoral Campaign for the Local Elections 2013] (Skopje: Broadcasting Council, 2013).

<sup>61</sup> Jakimovski et al., *My Choice 2011*, p. 26.

<sup>62</sup> Ibid, p. 2, 11 and 17.

<sup>63</sup> Risto Karajkov, “Macedonia: Media Freedom Under Threat,” *Osservatorio Balcani e Caucaso*, July 5, 2012.

<sup>64</sup> Ljupčo Zikov, “Dragane Pavlovicu-Latas... vidi vaka,” [Dragane Pavlovicu-Latas ... Look, It Is Like This], *Kapital*, May 2, 2012.

have political careers. Two eminent journalists from the pro-opposition A1 TV are currently members of the Parliament.<sup>65</sup>

In addition to having political careers, journalists in both electronic and print media outlets often mix news with commentaries; they do not distinguish between facts and opinions, do not use multiple sources to verify the story, and present information in a sensationalist style.<sup>66</sup> Information is spun in order to serve broader political goals.<sup>67</sup> Working for pro-government media journalists often misreport news and interpret events in a partisan way. The practices of journalists and editors employed in media linked with opposition parties are similar.<sup>68</sup>

## 2.5 Ethnically Divided Media Sector

Macedonia is characterized by a diverse selection of print and electronic sources of information at both national and local levels, representing a range of political viewpoints. There is fragmentation of the audience based on their ethnic background and separate programming for different ethnic groups in separate languages. Alsat-M is the only electronic media which broadcasts in Albanian with a fragment of its programming in Macedonian.

The Macedonian sphere abounds with a significant number of TV and radio stations which are operating in languages other than Macedonian (See table 2) but there is no exact information on the press.<sup>69</sup> The majority of the newspapers and periodicals are written in the Macedonian language, but there are daily newspapers and periodicals in the Albanian language, bilingual ones in Macedonian and Albanian

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<sup>65</sup> Mirko Trajanovski, "Što znači kandidiranje na novinari od A1 na listite na SDSM?" [What does it mean the candidacy of A1 journalists on the SDSM electoral lists?], *Telma*, May 3, 2011.

<sup>66</sup> Goce Mihajloski, "VMRO-DPMNE za kampanja dosega potrosile 730,000 evra," [VMRO-DPMNE for the Campaign Spent So Far 730,000 Euros], *24 Vesti*, April 9, 2013.

<sup>67</sup> Biljana Ilić, "Recenzija: "VMRO-DPMNE za kampanja dosega potrosile 730,000 evra," [Review: VMRO-DPMNE for the Campaign Spent So Far 730,000 Euros], *Proverka na fakti od mediumite*, March 19, 2013.

<sup>68</sup> European Commission, *The Former Yugoslav Republic of Macedonia: Progress Report 2012* (Brussels: European Commission, October 10, 2012).

<sup>69</sup> The registration of printed media was managed by the Information Agency, which was closed down years ago, as was the registry of media – Vesna Nikodinovska et al., *Analysis Development of the Media in Macedonia According to UNESCO Indicators* (Skopje: Macedonian Institute for Media, 2012), p. 59.

as well as in the Turkish language.<sup>70</sup> There are no newspapers and periodicals in other languages.<sup>71</sup>

**Table 2: Electronic media in Macedonia according to language of broadcast**

	Macedonian	Albanian	Albanian and Macedonian	Mixed*
<b>RADIO</b>				
National Public	1	0	0	1
National Commercial	3	0	0	0
Regional and Local Commercial	59	11	1	5
<b>TV</b>				
National Public	1	0	1	1
National Commercial	9		1	
Regional and Local Commercial	38	12	2	5
<b>TOTAL</b>	<b>111</b>	<b>23</b>	<b>5</b>	<b>12</b>

\*Mixed includes Albanian, Macedonian, Bosnian, Turkish, Serbian

Source: Broadcasting Council of Republic of Macedonia<sup>72</sup>

In Albanian language media current events from neighboring Albania and Kosovo are covered in much more detail, in addition to the activities of the political parties of ethnic Albanians in Macedonia. On the other hand, the Macedonian language media has a more balanced covering of regional and international news, while domestically it concentrates its coverage on the activities of the Macedonian political parties, with little information on the activities of ethnic minority parties.<sup>73</sup>

Predominantly, the Macedonian majority of the population and the Macedonian Albanian minority live next to each other with little interaction, which is reflected in the media landscape. Although some ethnic Albanians, especially the highly educated ones, read Macedonian language newspapers and watch Macedonian language programs on TV, most do not. At the same time, the vast majority of Macedonians do not know the Albanian language and do not follow the media in

<sup>70</sup> In the Albanian language: Fakti, Lajm, Zurnal; bilingual: Tea Moderna, Kichevo Miror, Time-Out; in the Turkish language: Zaman and Yeni Balkan; Ibid.

<sup>71</sup> Ibid.

<sup>72</sup> Broadcasting Council of the Republic of Macedonia, List of Registered TV Outlets and Broadcasting Council of the Republic of Macedonia, List of Registered Radio Stations.

<sup>73</sup> Vesna Šopar, "Macedonia," in *Divided they Fall: Public Service Broadcasting in Multiethnic States*, ed. Sandra Bašić-Hrvatini, Mark Thompson and Tarik Jusić (Sarajevo: Mediacentar, 2008).

the Albanian language.<sup>74</sup> Reporting on the other ethnic group is often unbalanced and biased. For example a study of the reporting of the main electronic and print media outlets in Macedonia revealed that despite the good legal standing of the minorities and the opportunities for media there exists a misrepresentation of the Albanian ethnic group in the Macedonian language mainstream media.<sup>75</sup> The study suggests the existence of a predominantly polarizing, centrifugal media discourse, and, in accordance with Voltmer who points out that political parallelism can be polarized, fragmented or hegemonic,<sup>76</sup> one can say that the current Macedonian landscape is an ethnically polarized system.

## 2.6 Professionalization of Journalism

There is a significant problem with the professionalization of journalism in Macedonia. Hallin and Mancini measure professionalization of journalism by three factors: the degree of autonomy that journalists enjoy, the development of distinct professional norms and rules and the public service orientation of journalists.<sup>77</sup> Macedonian journalists are lagging behind in all three of these components.

First, journalists continue to be under strong pressure by media owners and editors who still exercise strong influence over journalists' level of autonomy and creativity. One recent case was made public after an editor of a newspaper resigned when a text that was to be published in the next issue of the paper was withdrawn from printing when management ordered the printing house to do so.<sup>78</sup> In addition, most of the journalists are aware of the owners of the media and are cautious when writing about the owners' businesses or political interests. In effect this is reminiscent of communist era self censorship.

Further, there is a lack of developed and respected professional norms and rules. Although the Code of the Journalists of Macedonia was adopted in November

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<sup>74</sup> Ibid, pp. 130-131.

<sup>75</sup> Zhidas Daskalovski, "Mostovi koji dijele: mediji i manjine u Makedoniji" [The Bridges that Divide: Media and Minorities in Macedonia], in *Na marginama: manjine i mediji u jugoistočnoj Evropi [On the Margins: Minorities and Media in SEE]*, ed. Edin Hodžić and Tarik Jusić (Sarajevo: Mediacentar, 2010).

<sup>76</sup> Katrin Voltmer, "How Far Can Media Systems Travel? Applying Hallin and Mancini's Comparative Framework Outside the Western World," in *Comparing Media Systems Beyond the Western World*, ed. Daniel C. Hallin and Paolo Mancini (Cambridge: Cambridge University Press, 2012), p. 230.

<sup>77</sup> Hallin and Mancini, *Comparing Media Systems: Three Models of Media and Politics*.

<sup>78</sup> Zoran Dimitrovski, editor in chief, Nova Makedonija, interview with the authors, November 26, 2012.

2001,<sup>79</sup> it is not respected. The Council of Honor [Council of Media Ethics] was established at the same time and is the “sole regulatory body of journalists in Macedonia.”<sup>80</sup> Although the Council of Honor, previously called the Court of Honor, exists, its impact is limited due to the fact the media who were supposed to publish the decisions of the Court of Honor, did not publish them.<sup>81</sup> An additional problem is the fact that there are journalists who are not members of the Association of Journalists of Macedonia and who dispute and question the work of the Council of Honor.<sup>82</sup>

Moreover, journalists and journalists’ organizations are divided across party lines and hence their devotion to public service is questionable. The Association of Journalists of Macedonia (hereinafter: AJM) was founded in 1946,<sup>83</sup> but has not managed to incorporate all journalists. There is division among prominent journalists over the quality of the work and the management of AJM.<sup>84</sup> Many journalists openly claim that the AJM is not the representative body of Macedonian journalists. There is another association, called the Macedonian Association of Journalists (hereinafter; MAJ), which is considered to be close to the parties of the ruling coalition.

## 2.7 Civil Society

There are a number of organizations that have played an active role in the process of development of new media laws<sup>85</sup> and act as watchdogs over the government, but their success rate varies.

The nongovernmental sector has been successful in organizing trainings, i.e. activities which are not directly dependent on the government, but less successful in the process of development of laws and regulations, where their policy overviews have often been ignored.

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<sup>79</sup> Association of Journalists of Macedonia, Code of the Journalists of Macedonia (Skopje: Association of Journalists of Macedonia, November 14, 2001).

<sup>80</sup> Association of Journalists of Macedonia, 2012, <http://www.znm.org.mk/drupal-7.7/en/node/121> (Accessed on October 24, 2012).

<sup>81</sup> Mirche Adamcevski, President of Macedonian Institute for Media (MIM), interview with the authors, December 19, 2012.

<sup>82</sup> Ibid.

<sup>83</sup> Association of Journalists of Macedonia, 2012.

<sup>84</sup> Netpress, “ZNM: Novinarite vo Brisel ja posramotija i diskreditiraa profesijata,” [ZNM: Journalists in Brussels Shamed and Discredited the Profession], *Time.mk*, September 22, 2011.

<sup>85</sup> Such as Media Development Center, Macedonian Institute for Media, FOSM, NGO Infocentar.

NGOs have been included in the development of the LBA from 2005<sup>86</sup> but there are cases where their inclusion has been selective. For instance, the process of drafting the law on civic responsibility for defamation and libel was not inclusive as it only included the AJM. This selective process forced a number of prominent media organizations to react to their exclusion from the policy making process, and they expressed concerns about the provisions of the law.<sup>87</sup> In addition, there are cases where NGOs believe that their inclusion in the process came at too late a stage, when their impact was irrelevant, this being the case with the long-lasting debate in 2013 over the drafting of the new Media Law.

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<sup>86</sup> Vesna Šopar, "Republic of Macedonia," in *Television Across Europe: More Channels, Less Independence: Follow-up Reports 2008* (Budapest: Open Society Institute; EU Monitoring and Advocacy Program, 2008), p. 326.

<sup>87</sup> Infocentar, "Gragjanskite organizacii baraat vrakanje na procesot javna debata za noviot zakon za kleveta," [Civic Associations Demand the Return of the Public Debate on the New Law on Libel], *Infocentar*, October 10, 2012; Foundation Open Society Macedonia, *Godišen izveštaj 2011* [Annual Report for 2011] (Skopje: Foundation Open Society Macedonia, 2011), pp. 9-12.

## 3.

# Democratization and Media Assistance: An Overview

This section examines international donor involvement in Macedonia, and identifies the various phases of assistance and strategies they deployed, focusing especially on the coherence of the assistance programs and the sustainability of their results.

## 3.1 Key Actors and the Scope of Assistance

Since independence international media assistance to Macedonia has been provided by various types of donors: international organizations, foreign governments and non-governmental organizations. The most significant donors for each category are:

- International organizations: OSCE, EU, Council of Europe
- Foreign governments: USAID, embassies of the Netherlands, Sweden, Germany, Norway
- Non-governmental organizations: Article 19, Open Society Institute, Friederich Ebert Stiftung, National Endowment for Democracy, IREX ProMedia, Press Now, Norwegian People's Aid, Medienhilfe and Swedish Helsinki Committee.

These organizations have provided support on an individual, institutional and policy level. Donor support has been provided in various forms, mostly through direct support to media, trainings for media workers, consulting for agencies and outlets, monitoring of the overall circumstances under which the media operate, lobbying for legal amendments, as well as using conditionality mechanisms.

There is an absence of official and accurate information on the exact amount spent on media assistance in Macedonia but individual donor efforts varied in terms of intensity and resources. Johnson estimates that, in the period 1996-2006, approximately 23.8 million EUR was spent on media development in Macedonia.<sup>88</sup> Most of the funding - 11.2 million EUR – was spent on improving the media

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<sup>88</sup> Johnson, "Model Interventions," p. 214.

environment: 9.2 million was spent as direct media support, and 3.4 million was spent on media training.<sup>89</sup>

## 3.2 Media Assistance in Four Phases

International media assistance to Macedonia can generally be divided into four phases: 1991-1999; 2000-2005; 2006-2010 and 2010- present. Their main features are discussed below.

**Table 3. Four Phases of Media Assistance in Macedonia**

1991-1999	2000-2005	2006-2010	2010-IP
Low assistance	Intensive assistance	Withdrawal of donors	Signs of donors re-entering
<ul style="list-style-type: none"> <li>- Few donors</li> <li>- Direct support to media outlets</li> <li>- Aim: pluralism of views</li> </ul>	<ul style="list-style-type: none"> <li>- A lot of donors</li> <li>- Legal development</li> <li>- Capacity building of civil society organizations</li> <li>- Aim: broader social and political goals and reinforcing of peace</li> </ul>	<ul style="list-style-type: none"> <li>- Withdrawal of donors due to anticipation of EU funding</li> </ul>	<ul style="list-style-type: none"> <li>- Deterioration of the overall media sphere</li> </ul>

The first assistance period, 1991-1999, was characterized with few media donors, oriented towards increasing pluralism in the radio, television and printed media by providing assistance on an individual and institutional level. Among the first donors that entered the country was the Open Society Fund Macedonia, (later renamed Foundation Open Society Macedonia, hereinafter: FOSM), which is also one of the biggest and most influential international donors still present in the country. In this assistance period FOSM and the Council of Europe strived to de-monopolize the work of the state TV, radio and print media *Nova Makedonija*, and create pluralism in the radio, television and printed media. In order to do this, they (FOSM and CoE) provided direct support to alternative media outlets and offered various training opportunities for journalists and other media workers such as editors,

<sup>89</sup> Ibid, p. 214.

cameramen and montage persons. During this stage, Johnson estimates that FOSM supported 6 television and 10 radio stations<sup>90</sup> and according to OSCE, more than 50 broadcasters benefited from OSI support. Besides supporting independent TV and radio outlets, FOSM also assisted the printed media, helping launch the now major newspaper *Dnevnik* by subsidizing a private printing house, *Europa 92*, and the establishment of a distribution network independent from the government. According to Kolar-Panov, the general donor strategy at the time was the so called 'scatter gun approach', where: "seeding a number of media operations with a priority that among the many supported a handful might survive and prosper."<sup>91</sup> This comes in conformity with what Kumar argues as being a primary donor objective in democratizing societies, i.e. the strengthening of institutional capacities and the development of a sustainable pluralistic independent media.<sup>92</sup>

Besides direct financial assistance to media outlets, donors also engaged in capacity building for skills and education within institutions through training for election reporting, media monitoring, multi-lingual programming, a news exchange, and a printing house. Rakner et al identified journalism training (both short and long term) and education as one of the most significant elements of media assistance.<sup>93</sup> There is no information on the exact number of the trainings organized or the number of journalists who attended those trainings.

Thompson identifies an enabling environment, i.e. legal reforms, as being an important characteristic of media assistance<sup>94</sup> while Price et al argue that an enabling environment is also one of the largest challenges for donors.<sup>95</sup> The Macedonian Broadcasting Law from 1997, which was the first law regulating the broadcasting sphere after Macedonian independence "went through six drafts and was prepared with input from Council of Europe and Article 19, a British based NGO, in a process often used as an exemplary form of cooperation of international bodies [and donors] with the Macedonian authorities."<sup>96</sup>

During the second phase of media assistance in the period between 2000 and 2005, media assistance to Macedonia climbed higher on the donors' agenda. This

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<sup>90</sup> Ibid, p. 213.

<sup>91</sup> Kolar-Panov, "Broadcasting in Macedonia: Between the State and the Market," p. 4.

<sup>92</sup> Lise Rakner, Alina Rocha Menocal and Verena Fritz, *Democratisation's Third Wave and the Challenges of Democratic Deepening: Assessing International Democracy Assistance and Lessons Learned* (London: Overseas Development Institute, 2007), p. 44.

<sup>93</sup> Ibid.

<sup>94</sup> Mark Thompson, *Slovenia, Croatia, Bosnia and Herzegovina, Macedonia (FYROM) and Kosovo International Assistance to Media* (Vienna: Organization for Security and Co-operation in Europe, 2000), p. 51, 58.

<sup>95</sup> Monroe Price, Bethany Davis Noll and Daniel De Luce, *Mapping Media Assistance* (Oxford: University of Oxford; Philadelphia: University of Pennsylvania, 2002), p. 57.

<sup>96</sup> Ibid.

was not part of a calculated aid strategy or even a planned intervention, but a spontaneous response to the 1999 Kosovo refugee crisis<sup>97</sup> and the internal armed conflict in 2001. During this conflict, the donors increasingly engaged in urgent media assistance to provide equipment when media transmitters were destroyed<sup>98</sup> and support for independent media outlets.<sup>99</sup> In this phase direct assistance was given quickly, following simplified procedures,<sup>100</sup> and most of the assistance came in the form of technical assistance to the outlets that broadcasted programs in the northwestern part of the country, disproportionately affected by the refugee crisis and conflict.

Following the conflict and the signing of the OFA, the media assistance assumed a broader perspective, i.e. to serve the broader goal of democratization. Even the OFA itself contained a section calling upon international organizations to “increase their assistance projects to the media ... and improve inter-ethnic relations” (OFA, section 6). The US funding is generally directed towards “larger democracy-building or civil society projects.”<sup>101</sup> Assistance was also given towards enabling the policy environment and the fostering of legal changes.

Another feature of this period was acceleration of the reforms. In contrast to the CoE, which was the main proponent of the reforms in the previous period, and which did not manage to “exert significant pressure for further reform of the media,”<sup>102</sup> in this second stage period EU conditionality was effective in pushing for policy reforms and fostering changes in the media environment. However, conditionality cannot “substitute or circumvent domestic ownership of a commitment to reform” and in the Macedonian case the domestic support served as an important drive.<sup>103</sup> The adoption of the LBA from 2005 and the decriminalization of defamation and libel from 2012 were also inspired by the potential EU membership.<sup>104</sup> However, once the laws had been passed, the EU conditionality had a limited effect in the

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<sup>97</sup> Johnson, “Model Interventions.”

<sup>98</sup> Medienhilfe, “Crisis Assistance for Local Independent Broadcasters in Macedonia,” *Medienhilfe*, 2001.; Roland Brunner, “Urgent Media Assistance for Macedonia,” *Medienhilfe Ex-Jugoslawien*.

<sup>99</sup> *Ibid.*

<sup>100</sup> Aaron Rhodes, *Ten Years of Media Support to the Balkans: An Assessment* (Media Task Force of the Stability Pact for South East Europe, 2007), p. 21.

<sup>101</sup> Peter Cary and Rosemary D’Amour, *U.S. Government Funding for Media: Trends and Strategies: A Report to the Center for International Media Assistance* (Washington: Center for International Media Assistance; National Endowment for Democracy, 2013), p. 7.

<sup>102</sup> Thompson, *Slovenia, Croatia, Bosnia and Herzegovina, Macedonia (FYROM) and Kosovo International Assistance to Media*, p. 59.

<sup>103</sup> Carlos Santiso, “Promoting Democracy by Conditioning Aid? Towards a More Effective EU Development Assistance,” *Internationale Politik und Gesellschaft*, no. 3(2002), p. 117.

<sup>104</sup> Jakov Sinisa Marusic, “Macedonian Journalists Cry Foul Over Libel Reform.”

policy implementation phase. This is clearly visible from the repeated concerns over weak and inconsistent application of standards.<sup>105</sup>

During this stage an interesting shift in aid recipients occurred. In particular, not only media outlets, which were the main donor recipients in earlier stages, but also nongovernmental organizations started to appear as aid recipients. This shift in donors' strategies came as a result of the assumption that once donors leave, civil society organizations should assume the role of watchdog of the government. Therefore, in the second period, focus was placed on nongovernmental organizations such as MDC, MIM, etc. and building their capacity rather than direct funding to independent media outlets. Hence, there was a donor push to establish a strong civil society that could foster media and regulatory reforms and provide legal assistance.<sup>106</sup>

This second period 2001-2006 seems to be most intensive period of donor assistance. The OSCE budget alone for the period 2003-2006 was something below 2 million EUR<sup>107</sup> and the IREX ProMedia Program for five years, 2001-2005, had a budget of 3.8 million USD.<sup>108</sup> Donor presence was massive up to 2006, when many international donors started to phase out and close their programs.

The third phase, 2006-2010, was marked with the withdrawal of donors. Press Now, one of the major donors, left the country, followed by IREX ProMedia, the Norwegian People's Aid as well as IFA, OSCE and the Stability Pact Media Task Force (Stability Pact for South Eastern Europe). Both OSCE and USAID discontinued their media programs in this phase. The decline of US resources for media programs in Macedonia was also a result of the anticipated increase of EU funding, as well the shift in this donor's priorities. In this period there was a general decline of financial support for international media development by the Department of State and USAID.<sup>109</sup> In addition, Macedonia was perceived as a country where significant progress had been achieved, as evidenced by the rise of the IREX Media Sustainability Index for Macedonia.<sup>110</sup> Therefore funds were allocated to needier places,

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<sup>105</sup> Kolar-Panov, "Broadcasting in Macedonia: Between the State and the Market," p. 3; European Commission, *The Former Yugoslav Republic of Macedonia: Progress Report 2012*, pp. 35-36.

<sup>106</sup> Krishna Kumar, *One Size Does not Fit All: Objectives and Priority Areas for Media Assistance in Different Societies* (Washington: Center for International Media Assistance; National Endowment for Democracy, 2009), p. 15.

<sup>107</sup> Mihajlo Lahtov, Project Manager at Macedonian Institute for Media and Senior Public Information and Media Assistant at OSCE Mission to Skopje, interview with the authors, December 18, 2012; Mirvete Islam, Senior Public Information and Media Assistant; OSCE Mission to Skopje, interview with the authors, December 18, 2012.

<sup>108</sup> Sladjana Srbinovska, Project Manager, Civil Society Sector, USAID, interview with the authors, February 11, 2013.

<sup>109</sup> Cary and D'Amour, *U.S. Government Funding for Media*, p. 6, 12, 14.

<sup>110</sup> Sladjana Srbinovska, interview with the authors, February 11, 2013; Melita Chokrevska, Manager, Civil Society Project, USAID, interview with the authors, February 11, 2013.

so there was “a bubble in media spending in the Middle East and North Africa from 2008-2011.”<sup>111</sup>

The reasons behind donors pulling out of Macedonia from 2005 onwards can be further explained by the country being granted EU candidacy status. In particular, many donors started to withdraw as “a response to the anticipation of the EU Instrument for Pre-Accession Assistance (hereinafter: IPA) funding for civil society development, which would become available during the pre-accession process.”<sup>112</sup> This is the period when the money available to media programs significantly decreased and the procedures for obtaining the same become more technically burdensome. Media projects eligible for funding by the European Commission mainly through the IPA and European Instrument for Democracy and Human Rights (hereinafter: EIDHR) program have more formal procedures. FOSM is still present but its media program is significantly reduced.

The fourth phase is characterized with initial signs of donors returning. After 2010 there is significant deterioration of the media sphere in Macedonia, which was duly noted in all international reports which monitor Macedonian media. One explanation about the return of US donors reflects also on the failed assumption that the EU candidacy and expected EU accession would serve the media democratization. The USAID Macedonia Democracy and Governance Office Director commented that: “I can tell you pretty clearly, I think the reason we got involved again in media is because of concerns about the ‘politicization’ of media and the control of media by political parties. We do not care which political parties do so, but control by political parties is usually not a good idea, it does not facilitate the provision of objective information to people.”<sup>113</sup> Therefore it comes as no surprise that in 2012 USAID launched a new three-year media program. The program targets the nongovernmental sector and aims for journalist professionalization, and does not provide direct support to media outlets.

### 3.3 Coherence of Media Assistance: Coordination and Monitoring

Throughout the phases of international media assistance to Macedonia a number of donors became active and a need for coordination of their activities emerged. Coordination was higher in crisis periods, being notably high during the Kosovo

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<sup>111</sup> Cary and D’Amour, *U.S. Government Funding for Media*, p. 7.

<sup>112</sup> Johnson “Model Interventions,” p. 235.

<sup>113</sup> Michael Stievater, Director of the Democracy and Local Governance Office, USAID, interview with the authors, February 11, 2013.

refugee crisis and the internal conflict. In 1998, the International Media Fund (IMF) for Macedonia was established as “a loose and informal association of international donor organizations” which works on “media assistance and development in Macedonia”<sup>114</sup>. IMF was initially established by the following organizations: Foundation Open Society Macedonia (FOSM) and Open Society Institute Media Network Program from Budapest, Press Now from Netherlands, and the Swedish Helsinki Committee (SHC) from Sweden, which after the internal armed conflict in 2001 were joined by IREX ProMedia, USA, Medienhilfe Ex-Jugoslawien, Swiss Agency for Development and Cooperation (SDC) and Norwegian People’s Aid. The main aim of IMF was to coordinate donor activities in Macedonia. For example, during the ethnic conflict in Macedonia in Tetovo in 2001, when the radio and TV transmitters were destroyed IMF replaced them and hence prevented a ‘media blackout’. In that sense IMF provided assistance to five TV stations: TV ART, TV KISS, TV KOHA, TV SITEL, RADIO PLUS FORTE.

Furthermore, donors consented that pooled funds provide lower-cost and lower risk and enable donors to engage in a broad range of activities.<sup>115</sup> Pooled funds were used in the case of Macedonia during the internal conflict when fast reaction was needed. Thus, in April 2001, IMF created the Crisis Assistance Program (CAP). This program provided for improvement of the security of the journalists and assisted media to cover the higher expenses during the period of conflict, as well as to strengthen the self-regulatory mechanisms<sup>116</sup>. It was mainly emergency support in the form of quick, non-bureaucratic and targeted assistance.

A similar goal was pursued by the Stability Pact for South Eastern Europe, Media Task Force (MTF), which in the period 2002-2006 dealt with topics of democratization and human rights and whose aim was to provide a forum for the coordination of the major media assistance programs to Macedonia. MTF established national working groups comprised of “media professionals, members of the civil society and governmental representatives.” Together with these groups, the MTF carefully selected projects and proposed them for funding.<sup>117</sup>

Understandingly, with the phasing out of donor presence in Macedonia, in phase three there was not much coordination. Nowadays there are some donor meetings mainly to avoid overlapping, but there is not much to coordinate. The incentives for coordination are rather low since the available funds are quite limited. Some

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<sup>114</sup> “International Media Fund for Macedonia – Fact Sheet,” Medienhilfe Ex-Jugoslawien.

<sup>115</sup> Walter Dean, *Working in Concert: Coordination and Collaboration in International Media Development* (Washington: Center for International Media Assistance; National Endowment for Democracy, 2012), p. 12.

<sup>116</sup> “International Media Fund for Macedonia – Fact Sheet.”

<sup>117</sup> “Media Task Force: Progress and Problems for the Media in South Eastern Europe,” Stability Pact for South Eastern Europe, September 6, 2004.

argue that on the contrary, lower resources available for media assistance demand higher coordination.<sup>118</sup>

Monitoring and evaluation as a donor strategy has been implemented but has not been sufficient to correct policy deficiencies. The European Commission, Reporters Without Borders and Freedom House provide regular reports on the media sphere, and the MDC, MIM, and NGO Infocenter monitor media developments. Although criticism by the EU manages to attract the widest public attention, it has not been sufficient to alter some practices. In particular, repeated concerns in the EC reports over the financial dependence of the Public Service Broadcasters and the politicization of national and private media outlets have proven to have little effect.

### 3.4 The Sustainability of Media Assistance

Notwithstanding the importance that donors played in the development of the media in the country, overall there are both positive and negative feelings about the media assistance efforts in Macedonia. With regard to this, we discuss several issues.

First, the liberal model, characterized by strong professionalization, a market-dominated sector and neutral reporting, which was fostered in the early 1990's in Macedonia, failed to develop. Instead of developing a media system capable of addressing all contentious issues, Macedonia suffered from 'opaque imitation'<sup>119</sup> of external practices, which to a large extent underestimated the local context. However, Macedonia's failure to develop a liberal model would not have been classified as a media and democratic failure if the established media system was capable of upholding the basic media standards. Instead of information-oriented journalism and a market oriented media system, there is high political parallelism, partisan polyvalence, a distorted media market and biased reporting.

Second, most donors that engaged in the country, with several notable exceptions, deployed short-term and mid-term media projects, which ceased to produce results shortly after the donors' withdrawal. This goes in hand with the funding strategy, which in the cases of media outlets and nongovernmental organizations were highly dependent on external funding. Therefore, not surprisingly, after donors' support ended many media outlets were not able to compete on the market, and many organizations which lacked self-sustainability failed to deliver results. Although donor assistance to the public service broadcaster and the broadcasting council were policy oriented, they fostered dependence on domestic sources, which could

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<sup>118</sup> Violeta Gligorovska, Program Coordinator, OSI Macedonia, interview with the authors, February 4, 2012.

<sup>119</sup> Zielonka and Mancini, *Executive Summary: A Media Map of Central and Eastern Europe*.

be seen as a viable solution, but they failed to prevent governmental abuse of the dependence on domestic funds.

Third, most of the reforms were driven as a part of broader political and administrative reforms, led by the prospect of European integration of the country. Therefore, most of the reforms were completed prior to 2005 when the incentives for EU integration were the highest. Not surprisingly, as the country is currently stuck in the EU integration process due to the Greek blockade of the start of membership negotiations, the potential carrot, and, one can argue, also stick, of the European Union is losing its importance. This by no means implies that the EU does not enjoy domestic leverage - it only means that the EU has lost some portion of its influence.

Fourth, a mitigating circumstance of the overall media assistance programs is that donor assistance programs have not been perceived as disruptive to the domestic context and were not faced with much antagonism. However, it deserves to be mentioned that some donor organizations have been perceived as close to certain political parties, and therefore their goals and motives have been questioned. These views, however, were not capable of re-directing donor programs.

Fifth, the intensity of donor assistance was highest in turbulent times when Macedonia was either neighbor to a conflict or had internal violent disturbances. A few years following the Macedonian 2001 peace-settlement, donors started to withdraw their resources but failed to anticipate the upcoming political usurpation of the media landscape. Today, there are signs of donor re-entry into the country. The massive withdrawal of donors created a feeling of 'mission accomplished' and created room for the political parties and state institutions to re-occupy the media landscape.

Sixth, donors' achievements were best at policy level, in particular, policy development, and institutional level and less sustainable when they were focused on the individual level. Although, in the early 1990s many independent media outlets were supported, very few of them survived. All in all media assistance has not fulfilled its potential and according to Sally Broughton-Miceva, "some donors' strategies in the country actually distorted the development of the media market they were trying to foster."<sup>120</sup>

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<sup>120</sup> Sally Broughton Micova, *Finding a Niche: Small States Public Service Broadcasting in Slovenia and Macedonia* (RIPE, 2010).

## 4.

# Case Studies

The following section analyses the development of the Broadcasting Council, Macedonian Radio Television and the Macedonian Institute for Media. This section briefly introduces each of the institutions, analyzes the approach of the foreign donors towards them and draws conclusions on their formal and de facto independence and functionality.

## 4.1 The Broadcasting Council (BC)

### 4.1.1 Initial Conditions prior to Assistance Efforts

Prior to the establishment of the Broadcasting Council in 1998, there was no regulatory agency. In socialist times, the media system was highly censored and controlled and “all broadcasters and printed media, print houses and other production companies were in state ownership.”<sup>121</sup> Understandably, newly independent and democratic Macedonia feared any kind of regulation. The government took a laissez-fair approach to the media, which resulted in an explosion in the number of outlets.<sup>122</sup> Regulation was minimal. Besides the constitution, there was no specific media policy,<sup>123</sup> and there was no concession fee or frequency maintenance charge.<sup>124</sup> In the absence of regulation, there was a rise of privately owned media outlets. However, following the oversaturation of the media landscape there was a need for at least some kind of regulation. In 1998 when the first media policy was enacted, concessions were allocated by the government following a BC proposal. In the first round, the government awarded only 115 broadcasting

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<sup>121</sup> Macedonian Institute for Media, *Development of the Media in Macedonia According to UNESCO Indicators*, p. 3.

<sup>122</sup> Daskalovski, “A Study of the Legal Framework of the Macedonian Broadcasting Media (1991-1998)”.

<sup>123</sup> Kolar-Panov, “Broadcasting in Macedonia: Between the State and the Market,” p. 3.

<sup>124</sup> Thompson, *Slovenia, Croatia, Bosnia and Herzegovina, Macedonia (FYROM) and Kosovo International Assistance to Media*, p. 50.

concessions.<sup>125</sup> Expectedly, this was followed by a mass reaction from owners who did not get a concession. In order to meliorate the situation, the government opened a new tender and approved an additional 25 concessions.<sup>126</sup> This was not sufficient to silence the media owners who did not obtain concessions during the two tenders, who criticized the BC for being politically influenced.<sup>127</sup>

#### 4.1.2 Creating the Regulatory Authority for Broadcasting

An important role in the establishment and development of the Broadcasting Council was played by international organizations, who took a strategic long-term perspective towards the operation of this body. The Broadcasting Council was established in 1997 as a regulatory body in charge of the regulation of the commercial electronic media sector as well as of the PSB. There was no other media regulatory body and the international push for the establishment of such a body demonstrated that it was considered of essential importance. Development of legal framework and regulation was not a priority of the international donors in the early 1990s, however, the chaotic market triggered the donors to foster the development of such body.

The process of development of the legal framework for establishing the Broadcasting Council was slow but was supported domestically. Shirley points out that without local support, the chances for the establishment of the institution would have been rather limited.<sup>128</sup> Therefore, it deserves to be mentioned that although the legal grounds for the establishment of the Broadcasting Council were developed with assistance from a number of international organizations such as Council of Europe and Article 19, the process included the active engagement of the local authorities. After the legal framework itself was generally evaluated as good, OSCE worked on increasing the institution building process by providing technical assistance and consultation to the Broadcasting Council.<sup>129</sup> Moreover, in 2008 the OSCE Mission to Skopje donated equipment to the Broadcasting Council to monitor the elections.<sup>130</sup> In addition to this, the BC benefited from expert assistance; in particular, the Strategy for Development of Broadcasting Activity for the period 2007-2012 of the Broadcasting Council was developed with assistance from

<sup>125</sup> Kolar-Panov, "Broadcasting in Macedonia: Between the State and the Market," p. 8.

<sup>126</sup> Ibid.

<sup>127</sup> Ibid.

<sup>128</sup> Mary M. Shirley, *Institutions and Development* (Cheltenham; Northampton: Edward Elgar, 2008), p. 32.

<sup>129</sup> Večer, "OBSE ke mu pomaga na Sovetot za radiodifuzija," [OSCE Will Help the Broadcasting Council], *Večer*, April 11, 2007.

<sup>130</sup> Zoran Trajcevski, President of the Broadcasting Council, interview with the authors, February 1, 2013.

TAIEX (European Commission Programme) and in cooperation with OSCE.<sup>131</sup> Both organizations were represented by two national experts in a process that included the participation of experts in the field of broadcasting, electronic communications and the information society, as well as members of nongovernmental organizations and the Broadcasting Council.<sup>132</sup>

Donor strategies were aimed at the creation of an independent regulatory body which relies on local funds. Assistance programs are expected to produce better results when there is stronger involvement of local funding and less dependence on external funding. Indeed, the Broadcasting Council is financially independent from the government and the funds for its work are collected from the broadcasting fee and the fee for licenses for performing broadcasting activity (article 36, LBA). The parliament reviews but does not have to approve the Annual Financial Plan of the BC. The Broadcasting Council is not accountable to the government or any ministry, except to the parliament to which it sends its annual report. According to Trajcevski, the Broadcasting Council is in principle financially independent from the government, as the government has no powers to interfere in its work or the distribution of the finances.<sup>133</sup>

In order to stimulate changes the EU employed a mechanism for conditionality and regular monitoring, and successfully managed to influence changes in the legislation. One example is the Law on Broadcasting Activity from 1997 which was amended in 2005, increasing the independence and powers of the Broadcasting Council. Prior to 2005 the Broadcasting Council had powers only to give recommendations in the process of issuing broadcasting concessions (*de facto* licenses to operate) while the end decisions were made by the government.<sup>134</sup> The law from 2005 empowered the Broadcasting Council to make decisions in the process of allocating a “license for performing a broadcasting activity” independently without consulting the government.<sup>135</sup> In the policy debates over this law, not surprisingly, the European Commission and the civil society insisted on the exclusion of members of political parties from the structures of the Broadcasting Council.<sup>136</sup>

Notwithstanding the importance of the carrot – the prospects of EU accession of Macedonia – the monitoring system exercised by the EU proved to work as a potential stick in that process and encouraged the Broadcasting Council to work in a transparent manner.<sup>137</sup> Compliance with EU standards on the transparency

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<sup>131</sup> Ibid, p. 48.

<sup>132</sup> Ibid, pp. 133-134.

<sup>133</sup> Zoran Trajcevski, interview with the authors, February 1, 2013.

<sup>134</sup> “Law on Broadcasting Activity,” *Official Gazette of Republic of Macedonia* 20/1997, Article 13.

<sup>135</sup> “Law on Broadcasting Activity,” *Official Gazette of Republic of Macedonia* 100/2005, Article 52.

<sup>136</sup> Šopar, “Republic of Macedonia,” p. 319.

<sup>137</sup> Zoran Trajcevski, interview with the authors, February 1, 2013.

of the Broadcasting Council meant that the EC in its annual progress reports on Macedonia could not criticize the work of the Broadcasting Council as an obstacle to the future EU accession of the country.

### 4.1.3 Results Today

The mechanism for conditionality and EU monitoring has produced results. In 2009 the Broadcasting Council reformed the unit for international cooperation to the sector for *European and international cooperation and public relations*.<sup>138</sup> In addition, the work of the BC is now public, and its documents such as public calls, agendas, minutes of meetings, decisions reached and so on, are made available through its webpage and the media reports. Importantly, the Broadcasting Council organizes public meetings at least once every three months with all interested parties in order to familiarize them with the work of the Broadcasting Council and to give them an opportunity to express their opinions on the work of the Broadcasting Council and on how to enhance the broadcasting activity. However, even though the information is available online, the minutes are rather poor and do not provide detailed information or the reasoning behind the decisions of the members of the Broadcasting Council.

Although the international donors have advanced the work of the Broadcasting Council by assisting the enabling of the legal environment, capacity building and limited technical assistance, there are still serious obstacles, the most notable being state politicization.<sup>139</sup> There is political interference in the appointment of the members of the Council, controversial financial assistance from the government to the Broadcasting Council, and lack of professional management of the Broadcasting Council.

State politicization is visible through the process of the appointment of the members of the Broadcasting Council. The LBA of 2005 was amended in 2011, politicizing the appointment procedure. The members of the BC are appointed and dismissed by the Assembly upon a nomination from: the Macedonian Academy of Arts and Sciences; the Inter-University Conference; the President of the Republic of Macedonia; the Association of the Units of Local Self-Government of the Republic of Macedonia; the Commission for Protection of Competition; the State Commission for Prevention of Corruption; the Majority Journalists' Association of Macedonia; the Committee for Elections and Appointment Issues of the Assembly of the Republic of Macedonia.<sup>140</sup> With the legal changes of 2011, the number of members of the BC was increased from 9 to 15. It was decided that 6 new members to the Broadcasting Council would be nominated by the President, the State Anti Corruption Committee,

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<sup>138</sup> Broadcasting Council, *Analysis of the Broadcasting Activity Market for 2011*, pp. 25-26.

<sup>139</sup> Zielonka and Mancini, *Executive Summary: A Media Map of Central and Eastern Europe*.

<sup>140</sup> "Law on Broadcasting Activity," *Official Gazette of Republic of Macedonia* 100/2005, Article 26.

the Association of Municipalities, and the Commission protecting competition. In the discussion in the Parliament there were strong reactions to the entitlement of the President to nominate members of BC, notably with claims that as this is a regulatory body the president should have no role in the process. Disappointment with the enlargement of the body was expressed by the Association of Journalists and MIM<sup>141</sup> as well as other organizations which believe that the proposed changes to the membership structure of the Broadcasting Council “will politicize this regulatory body, curtail media freedom, and reduce pluralism within the country.”<sup>142</sup>

Besides the weaknesses of the legal framework, its implementation is also politicized. The safeguards inserted for assuring the independence of members have not been respected. The law of 2005 introduced two filters for the selection of the members of the BC. The first filter was the public and the second was the parliament, and the year 2005 was the only period when this two-tiered filter functioned properly. If the procedures are followed the public has time to react, and in cases where persons with inappropriate background are nominated to become members of the BC the attention they can attract can make the process ‘politically costly’. In 2005, for example, there were two nominees that were rejected: one was the chief of the cabinet of the Prime Minister at the time, while the other was the advisor of the mayor of the city of Skopje, now a journalist. There was a heated debate in the media, with arguments against the proposed two, which made their nomination a politically costly move.<sup>143</sup> Since 2005, however, the Parliament has chosen candidates through so-called speedy procedures leaving no time for public reaction or debate over the quality of the nominees. Therefore, it is not surprising when the opposition’s representatives complain about the procedural aspects of the process that are not respected. For example, the opposition complains that the names of the nominees for these positions are not published in newspapers.

There is a *de jure* safeguard that people who are members of parliament, members of the government or members of managing boards of public enterprises, people with duties in political parties or religious communities, people who have ownership share or are close family members to such persons cannot be members of the BC.<sup>144</sup> However, in practice this is not the case. For example, one of the current members appointed to the BC is a brother of a member of the Parliament, coming

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<sup>141</sup> Mirjana Spasovska, “Novinarite se bunat, SRD se siri,” [Journalists Complain, SRD Expands], *Radio Free Europe*, 2011.

<sup>142</sup> “Proposed Changes to Broadcasting Council in Republic of Macedonia,” International Press Institute, July 14, 2011.

<sup>143</sup> Roberto Belicanec, Executive Director at Media Development Center, interview with the authors, December 17, 2012.

<sup>144</sup> “Law on Broadcasting Activity,” *Official Gazette of Republic of Macedonia* 100/2005, Article 25.

from the ruling DUI party.<sup>145</sup> Politicization of the BC is a problem regardless of the composition of the ruling coalition.

Another feature of the BC shows that although there is reliance on local funding, and although the BC manages to collect the funds, the BC is not free from political interference. One serious downturn was the fact that “in 2008, for the first time the government allocated 600.000 Euros from the State Budget as “financial support to the Broadcasting Council for monitoring the election activities in 2009.”<sup>146</sup> This provoked heated discussion and presumptions that the BC would work to the advantage of the current political parties in the government. With the money the BC bought equipment to monitor the elections in the city of Skopje only - not in the whole country. The funds that were allocated for this purpose were paid to a subcontracting party that monitored the elections. However, the subcontractor was a company with little track experience; that project was its first, and only, project.<sup>147</sup> That there was something odd in that allocation is testified by the fact that the current BC has not been open to repeated queries from the authors of the text to reveal the name of the company.

Political parallelism is an additional obstacle for the operation of the BC. Of particular concern is the silence of the BC with regard to governmental advertising in the media. This non-reaction regarding the government’s advertising causes distrust regarding the independence of the BC. Furthermore, the expertise of the members of the BC is often questioned and their actions are perceived as biased. The BC has been accused of applying a selective approach in the case of A2 television. In 2011 the BC revoked the license of A2 for not complying with program standards, while giving room for maneuver to other TV stations to deal with their legally problematic ownership structure.<sup>148</sup> Some sources claim that there are “well known cases of media concentration and illegal ownership structure, of which the BC is aware, but unwilling to act.”<sup>149</sup>

<sup>145</sup> Panta Džamazovski, “Novi prepukivanja pri izborot na novi clenovi na SRD,” [New Fights about the Election of New Members of SRD], *Telma*, 2011.

<sup>146</sup> INDIREG, Final Report: Indicators for Independence and Efficient Functioning of Audiovisual Media Services Regulatory Bodies for the Purpose of Enforcing the Rules in the AVMS Directive (SMART 2009/0001), Hans Bredow Institute for Media Research – lead partner, Interdisciplinary Centre for Law & ICT (ICRI), Katholieke Universiteit, Leuven Center for Media and Communication Studies (CMCS), Central European University, Cullen International Perspective Associates – subcontractor, February 2011, p. 22.

<sup>147</sup> Zoran Trajčevski, interview with the authors, February 1, 2013.

<sup>148</sup> Zorana Gadžovska Spasovska, “Partizacija na SRD,” [Party Influence over SRD], *Radio Free Europe*, 2012.

<sup>149</sup> Darko Čekeroški, Senior Journalist at *Telma TV*, Editor at <http://balkon3.com>, interview with the authors, November 26, 2012.

#### 4.1.4 Conclusion

International donors assisted Macedonia in the establishment of the BC. The legal framework for its establishment was developed with assistance from a number of organizations such as the Council of Europe and Article 19. Once founded, the BC received assistance in terms of institution building and technical equipping. National experts aided by internationals cooperated under donors' aid in drafting strategic documents for the development of the BC. As Macedonia is a candidate country for membership, the EU has employed the conditionality principle to influence changes in the legislation to increase the independence and powers of the Broadcasting Council. Another effect of the involvement of the EU in the work of the BC has been an increase in the transparency of the work of the Council. The work of the BC is open to the public and its documents are made available through its webpage and media reports.

In their media assistance to Macedonia international donors aimed at creating an independent regulatory body which relies on local funds and is independent from government influences. Although with some outstanding obstacles, most notably political interference in the appointment of the members of the Council, suspicious financial assistance of the government to the BC, and lack of professional management of the BC, the standards for the independence of the work of BC have been established. Although further work needs to be done to anchor the independence of BC from politics, international donor assistance has been pivotal in this process.

## 4.2 Public Service Broadcasting

### 4.2.1 Initial Conditions prior to Assistance Efforts

Macedonian Radio Television (hereinafter: MRTV), inherited from the Yugoslav socialist system, went through a long transformation process. Founded in December 1964, in the 1990s, similar to those in other ex-Yugoslav countries it was under influence of the so called "PSB tsunami, when many post-Communist countries sought to end the old model of state-controlled, propaganda oriented broadcasting and embraced PSB as the desired alternative."<sup>150</sup> Jakubowicz defines public service broadcasting as a particular model of governance, a political intervention into the media market in order to produce programs of value to society.<sup>151</sup> This transformation

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<sup>150</sup> Broughton, *Finding a Niche*.

<sup>151</sup> Karol Jakubowicz, "Public Service Broadcasting: Product (and Victim?) of Public Policy," in *The Handbook of Global Media and Communication Policy*, ed. Robin Mansell and Marc Raboy (Malden: Wiley-Blackwell, 2011).

process from state to public service was burdensome. In the early stages of democratic Macedonia, MRTV entered a period of constant decline both in content production and technical capabilities. While MRTV faced financial difficulties, lost some of its key anchors and entered a period of permanent decline,<sup>152</sup> a number of private media outlets were founded. The idea of the government, at the time led by the Social Democrats, was not to control the programming of MRTV but to increase the viewership of private media such as A1 TV.<sup>153</sup> This was in compliance with the trend which existed in CEE after the 1980s - to treat the PSB as an “anomaly in the media market.”<sup>154</sup> MRTV lost its credibility, and this is something that has yet to be overcome.

#### 4.2.2 Reforming the State Broadcaster into PBS: Assistance Efforts

In the early 1990s MRTV was not on the donors’ agenda. International organizations did not at first prioritize the transformation of MRTV as they believed priority should be given to the pluralization of media outlets. A few years later, when international organizations realized the need to have a strong and reliable public service broadcaster, they triggered the debate on the transformation of MRTV, to redefine itself as a public, as opposed to a state, broadcaster.

The most important support that MRTV has received from donors is assistance for the creation of an enabling legal environment for its operation. This support was provided by a number of international organizations such as the Council of Europe, OSCE and nongovernmental organizations. The operation of MRTV was regulated in 1997 with the Law on Establishment of Public Enterprise Macedonian Radio Television, which in 2005 was consolidated with the Law on Establishing Broadcasting Enterprise in a new Law on Broadcasting Activity. Yet the results of the legal amendments have been evaluated as poor. For example, according to Thompson, following the assistance by the Council of Europe and OSCE to draft legislation, the next expected step was for them to provide “close involvement in reforming the state media”.<sup>155</sup> This did not happen<sup>156</sup>.

<sup>152</sup> Dime Ratajkovski, Manager and Head Editor, MTV, interview with the authors, March 12, 2013.

<sup>153</sup> Zoran Dimitrovski, Editor in Chief, *Nova Makedonija*, interview with the authors, November 26, 2012.

<sup>154</sup> Karol Jakubowicz, “Public Service Broadcasting: Product (and Victim?) of Public Policy,” in *The Handbook of Global Media and Communication Policy*, ed. Robin Mansell and Marc Raboy (Malden: Wiley-Blackwell, 2011).

<sup>155</sup> Thompson, *Slovenia, Croatia, Bosnia and Herzegovina, Macedonia (FYROM) and Kosovo International Assistance to Media*, p. 58.

<sup>156</sup> Ibid.

Another component of donor assistance programs included capacity building trainings for journalists as well as some technical assistance and equipment. There is no precise information on the number of media workers from MRTV who have benefited from the trainings, but the information obtained by various donors indicates that almost all of their media trainings were open to MRTV representatives. As there are no records available on the number of trained personnel it is difficult to argue what the impact of donor assistance strategies on MRTV development was.

It deserves to be noted that at the moment MRTV does not expect donor assistance. As far as capacity building is concerned, MRTV's membership in EBU could be regarded as a factor which can improve its operation. MRTV has already benefited from expert assistance on reforming its archive. In cooperation with EBU, MRTV also plans to develop trainings for journalists, montage persons, program directors, cameramen and video trainings.<sup>157</sup>

### 4.2.3 Results Today

Compared with the period of the socialist past, MRTV has achieved significant progress; however, state politicization is an important feature which affects its operation. Frequent politically driven changes in the management illustrate this point. According to the previous regulation from 1998 the parliament was responsible for appointing the directorate general and the board of governors. However, in 1998, the coalition government started to interfere at an even lower level, replacing editors and directors.<sup>158</sup> In 2006 and 2007, heads and editors were replaced more than once, which had negative effects on the output and the ratings.<sup>159</sup> The new 2013 MRTV management is striving to change the negative perception of the outlets, and is introducing program and staff changes. In order to attract public attention, prominent journalists such as Goran Petreski, Aleksandar Chomovski and others who were associated with the A1 TV, an outlet that was perceived as a pro-opposition media outlet and no longer exists, became MRTV anchors.

Since 2008 the government coalition has been stable and there has not been a potential veto player able to produce drastic changes in the operation of MRTV. Although the government is a coalition government there is a pedantic distribution of the spheres of influence, whereby the Macedonian political party exercises influence over MRTV1 and the Albanian over MRTV2. Moreover, there is political influence on the ethnic makeup of the managing team of the public broadcaster. There is a system of balance in places, so that if the managing director of the

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<sup>157</sup> Dime Ratajkovski, interview with the authors, March 12, 2013.

<sup>158</sup> Thompson, *Slovenia, Croatia, Bosnia and Herzegovina, Macedonia (FYROM) and Kosovo International Assistance to Media*, p. 53.

<sup>159</sup> Šopar, "Republic of Macedonia," p. 320.

public enterprise is Macedonian, the deputy would be an ethnic Albanian and vice versa. This is an informal practice between the Macedonian and Albanian parties in the ruling government coalition and not an official legal requirement.<sup>160</sup> One can conclude that the structure and the decision making procedures of the managing board of the Broadcasting Council and the Macedonian Television and Radio give significant decision making power to the ethnic Albanian minority.

An explanation for the existent political parallelism of MRTV can be found in the low rate of collection of the broadcasting fee and its dependence on government transfers. The Law stipulates that MRTV is to be financed from the broadcasting fee, advertising, sponsorships, donations, sales of programs and services, and from funds in the Budget of the Republic of Macedonia for the current year. Until 2006, the average collection rate (of broadcasting fee) was between 60 and 70 percent. “In 2006, the collection of the fee plummeted to 6 per cent amidst confusion caused by changing the mode of collection.”<sup>161</sup> Collection has been transferred from the EVN Electrical Power Company to MRTV. Delinking the payment of the broadcasting fee from the payment of electricity bills meant that many households simply decided not to pay the former. While the penalty for not paying the electricity bill would have meant no access to electricity, for not paying the fee households only risked a prolonged court case.

At times when MRTV’s financial situation became bleak, “the government provided cash injection by transferring money from the Public Enterprise for Airport Services.”<sup>162</sup> According to article 178 of the LBA the state budget was supposed to allocate 80% of the total license fee for the first six months following the change in the collection mechanism. But even after that in 2007, MRTV was unable to collect the fees, with the collection rate dropping to 0.5 per cent.<sup>163</sup> The crisis continued, as even though when in “2009 MRTV managed to collect three times more than in 2008, the total amount of collected fees [was] only 922,784 Euros.”<sup>164</sup> Currently, the mechanism for collection of the broadcasting fee still does not function well. Many households received more than one bill for the broadcasting fee, which left many people frustrated and nervous.<sup>165</sup> The funding from the government and the state budget “damages the station’s independence.”<sup>166</sup> In the last financial report for 2011

<sup>160</sup> Vesna Šopar, Professor at School of Journalism and Public Relations in Skopje, interview with the authors, February 8, 2013.

<sup>161</sup> Šopar, “Republic of Macedonia,” p. 347.

<sup>162</sup> Ibid.

<sup>163</sup> Ibid, p. 349.

<sup>164</sup> Broughton, *Finding a Niche*, p. 2.

<sup>165</sup> Alfa, “MRTV naplaka radiodifuzna taksa za sekoj clen vo semejstvoto,” [MRTV Enforces Payment of the Fee for Each Member of the Family], *Time.mk*, October 20, 2012.

<sup>166</sup> Šopar, “Republic of Macedonia,” p. 320.

the majority of the funds for the operation of MRTV came from the state budget; the total income for 2011 was approximately 1.2 billion MKD out of which some 305 million MKD (24%) were secured from the government.<sup>167</sup> Since the government pays most of the operational budget of MRTV it is not surprising that its programs favor the ruling coalition parties. This affects the quality of the programming and negatively influences the image of MRTV.

#### 4.2.4 Conclusion

In the period following independence MRTV was not on the donors' agenda as international assistance was aimed at enriching the market by the establishment of media outlets. A few years later, when international organizations realized the need to have a strong and reliable public service broadcaster, they triggered the debate on the transformation of MRTV into a public as opposed to a state broadcaster. Donor assistance was mainly focused on the creation of an enabling legal environment for the functioning of MRTV. This support was provided by a number of international organizations such as the Council of Europe and OSCE. Another smaller component of donor assistance was capacity building trainings for journalists as well as some technical assistance and equipment. At the moment the cooperation with EBU is most prevalent. MRTV has already benefited from expert assistance on reforming its archive.

The expectation was that donors would have a close involvement in reforming the state media, but this did not materialize. Although donors have somewhat affected the development of the Law on MRTV, offered limited number of trainings to journalists and donated some equipment, they have not been able to eliminate the biggest threat to the development of MRTV - political influence; neither did they manage to influence the achievement of financial independence for the PBS. Frequent politically driven changes in the management illustrate this point. Moreover, there is a pedantic distribution of the spheres of influence on the work of MRTV among the Macedonian and ethnic Albanian governing coalition partners. The key problem unsolved since independence has been the financial independence of MRTV, which suffers from the low rate of collection of the broadcasting fee, making it dependent on government transfers.

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<sup>167</sup> Macedonian Radio Television, Godišen izveštaj za finansiskoto rabotenje na JP Makedonska Radio Televizija vo 2011 godina [Financial Report of Macedonian Radio Television for 2011] (Skopje: Macedonian Radio Television, February 2012).

## 4.3 Macedonian Institute for Media

### 4.3.1 Prior Conditions

In the 1990s civil society was weak and there were almost no organizations that had the capacity to monitor the media. The expansion of the overall civil society sector happened in the late 1990s and early 2000s as a result of the donors' response to a regional crisis spill-over from Kosovo and the internal conflict in 2001, and the inability of the government to fulfill all its tasks. In this period the nongovernmental organization Press Center, predecessor of the Macedonian Institute for Media, was established.

### 4.3.2 The Creation of MIM

MIM was founded, existed and exists almost exclusively thanks to foreign aid. However, the initiative for its establishment was local.<sup>168</sup> MIM was founded by Press Center, IREX ProMedia and the Danish school of Journalism.<sup>169</sup> These organizations provided the initial bulk of funding for the organization but the organization in its twelve years of existence has cooperated with a number of other donors. Similar to other civil society organizations, MIM is a project based organization; it develops a project proposal, applies for funding, and implements a project. Therefore, all of its activities are project dependent.

The main goal of MIM was to provide practical trainings and contribute towards the maintenance of international professional standards. MIM is among the first media oriented nongovernmental organizations. It was established as a “nonprofit organization that promotes excellence in media and public communication through policy initiatives, research, training, publication and production.”<sup>170</sup>

International assistance was given to MIM upon grant requests based on the mission and the vision of this organization.<sup>171</sup> The donors had no influence on the strategic objectives of MIM. MIM only cooperated with donors that supported their program ideas. Donors that supported MIM asked for transparency and accountability of their projects. For example, the results of the School of Journalism project were crucial for continuous donor support of this project. Using donors' assistance MIM has cooperated with local authorities on different projects. In cooperation with the Ministry of Education and Institute for Democracy MIM implemented a

<sup>168</sup> Macedonian Institute for Media, *Development of the Media in Macedonia According to UNESCO Indicators*.

<sup>169</sup> Ibid.

<sup>170</sup> Ibid.

<sup>171</sup> Biljana Petkovska, Executive Director, Macedonian Institute for Media, interview with the authors, December 25, 2012.

project that aimed to raise media literacy in the educational system of the country. This project was funded by the Ministry of Foreign Affairs of the Netherlands.<sup>172</sup> Among the other donors of MIM are the British Embassy, OSI Media Program, OSI Roma Support Program, the Balkan Trust for Democracy, the Swedish Human Rights Defenders, the Helsinki Committee, and Norwegian People's Aid.

Notwithstanding the dependency of MIM on donor assistance programs and funds, MIM has employed strategic objectives for its operation. The first years of MIM's existence were focused towards the development of capacities and building of the institution and later towards training of journalists and other media workers. In that regard, MIM has been the first training center for the training of journalist and media personnel.<sup>173</sup> MIM organized trainings, workshops, round tables that dealt with issues of investigative journalism, and conflict reporting, management, and minority issues. The success story of MIM is that in 2008 it managed to establish a nonprofit higher educational institution, the School for Journalism and Public Relations. Hence, the previously implemented one year training school was no longer dependent on foreign donations. The tuition fees at this school have been diverse, ranging from 500 to 1250 Euros per academic year. MIM estimates the tuition fees on the basis of the calculation of the costs per student and then tries to cover some of the costs as well as provide scholarships and donations to students.<sup>174</sup>

Some of the assistance programs, such as those of the Danish School and IREX ProMedia, have ended, but this has not affected the continuation of the work of MIM. Although the mentioned donors changed the priorities of their support in the region and discontinued their funding of MIM, this organization has been able to continue implementing its mission of educating media professionals and strengthening the media freedoms in the country. When the School for Journalism and Public Relations was established, MIM continued to operate, slightly altering its mission. The organization has two main priorities in the media sector: fostering the process of self regulation and research. "During the years we developed capacities and knowledge, now we, together with AJM, lead the process of self regulation. We want to help towards the establishment of the self regulatory body."<sup>175</sup> Furthermore, MIM is a member of several media networks such as South East European Network for Professionalization of Media (SEENPM), South East Europe Media Organization (SEEMO), and Reporting Diversity Network, and as such has valuable contacts.

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<sup>172</sup> Ibid.

<sup>173</sup> Ibid.

<sup>174</sup> Zhaneta Trajkovska, Director, School of Journalism and Public Relations in Skopje, interview with the authors, January 30, 2013.

<sup>175</sup> Biljana Petkovska, Executive Director, Macedonian Institute for Media, interview with the authors, December 25, 2012.

### 4.3.3 Results Today

Through the establishment of the School for Journalism and Public Relations, MIM secured sustainability of its mission, providing technical training and education. MIM itself reorganized and shifted its mission towards new priorities. MIM is financially independent from the government, and has never received governmental funds. Its sources are diversified, its projects are supported with international assistance but there are annual events that are financed through MIM's own resources, one of those being the annual award for the best journalistic story.

### 4.3.4 Conclusion

Although its foundation was based on the ideas of locals, MIM existed and exists almost exclusively thanks to foreign assistance. Throughout the years this organization has been able to raise a team of professionals who are able to successfully compete for international tenders, grants and projects dealing with the media sector. MIM is financially independent from the government, and has never received governmental funds. Its sources are diversified, its projects are supported with international assistance but there are annual events that are financed through MIM's own resources, one of those being the annual award for best journalistic story. Neither the floating laws nor the rising political party polarization of Macedonia has significantly influenced the work of MIM. Thus, MIM is a successful example of how international donors in cooperation with domestic leaders/organizations can create a self-sustainable institution which is politically independent, enjoys public credibility and contributes towards the development of the journalistic profession.

## 5.

# Conclusion

Bearing in mind the political and economic circumstances in the early stages of development of a democratic Macedonia, international donors played an important role in providing a vibrant media landscape including legal framework and relevant institutions. Donors in Macedonia engaged in a number of media assistance projects producing varying results, but mostly providing short-term improvements. The reasons behind the donors' limited success can be explained through Berkowicz's 'transplant effect'.<sup>176</sup> In particular, the reforms in the Macedonian media sector were conducted according to the model of the liberal media system, underestimating the potential dangers of the local context. In that light, the local context of high state politicization, strong business and political parallelism and ethnic segregation were to a great extent overlooked.

In addition to the lack of understanding of the local context, there was an absence of a coherent donor assistance strategy. This has contributed towards the overall limited success of the assistance efforts. With several notable exceptions, most of the media assistance in Macedonia was of short and mid-term orientation, which finally resulted in short-term results. The lack of strategic approach from the international donors and their ad-hoc assistance was an additional reason behind donors' failure to produce long-lasting results. Lack of coordination among donors was an additional problem that donors did not overcome. After 2006, the decline of resources available from donor assistance was followed by a decline of donor coordination, which ultimately led to stronger political interference. This brings us to the conclusion that even though resources are low, there should be donor coordination, primarily because it has the potential to prevent deterioration.

Moreover, strong state politicization and high political and business parallelism are the biggest obstacles in the Macedonian media system. With regard to type of media assistance, various agencies and individual donors had the biggest impact in the development of the legal framework and professionalization of the journalistic profession and were less successful in abating political influence over the editorial and content bias of private and public media and the media regulator, the Broadcasting Council. Monitoring as a donor strategy has lost some of its leverage. Although deterioration of Macedonian media freedom was noted in a number of reports such as the Reporters without Borders report, the European Commission

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<sup>176</sup> Daniel Berkowitz, Katharina Pistor and Jean-Francois Richard, "The Transplant Effect," *The American Journal of Comparative Law* 51, no. 1(2003).

Progress Report for Macedonia and the Freedom House Nations in Transit Report, these reports were not able to influence positively the present political practices among stakeholders and to eliminate state politicization.

All in all, donors were successful in contributing towards the increase of the sheer number of media outlets, providing professional journalist training, improvement of the legal environment at policy level and increased transparency of the Broadcasting Council. However, establishing a sound legal environment is only one step towards high media standards. Donors have little influence on the implementation of laws. In fact, once media laws were passed the EU conditionality had limited effect in the policy implementation phase. Most of the reforms were completed prior to 2005 when the incentives for EU integration were the highest. Not surprisingly, as the country is currently stuck in the EU integration process due to the Greek blockade of the start of membership negotiations, the potential carrot of membership of the European Union is losing its importance. A situation without the Greek blockade - or with EU ability to overcome it - would probably lead to a different path in media democratization in Macedonia.

Another key problem with donor assistance in the media sector in an ethnically divided, ideologically polarized Macedonia has been political manipulation and party influence over the mentioned public institutions. Thus, while the Broadcasting Council and the Public Broadcasting Service have been reformed, the persistent drive of politicians to have influence over them has not been completely eliminated. Overall, international donors have been less successful in diminishing political influence over editorial standards and journalistic reporting, and reducing the PSB dependency on governmental funds and party influence.

## 6.

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## Annex 1: List of Interviews

Adamcevski Mirche, President of Macedonian Institute for Media (MIM), December 19, 2012.

Belicanec Roberto, Executive Director at Media Development Center, December 17, 2012.

Chekerovski Darko, Senior Journalist at *Telma TV*, Editor at <http://balkon3.com>, November 26, 2012.

Chokrevska Melita, Manager, Civil Society Project, USAID, February 11, 2013.

Dimitrovski Zoran, Editor in Chief, *Nova Makedonija*, November 26, 2012.

Filkov, German, Executive Director of Center for Civic Communication, December 24, 2012.

Lahtov Mihajlo, OSCE, Project Manager at Macedonian Institute for Media, Senior Public Information and Media Assistant at OSCE Mission to Skopje, December 18, 2012.

Mirvete Islam, Senior Public Information and Media Assistant; OSCE Mission to Skopje, December 18, 2012.

Gligorovska Violeta, Program Coordinator, OSI Macedonia, February 4, 2013.

Petkovska Biljana, Executive Director, Macedonian Institute for Media, MIM, December 25, 2012.

Petkovska Biljana, Executive Director, Macedonian Institute for Media, MIM, June 18, 2013.

Ratajkovski Dime, Manager and Head Editor, MTV, March 12, 2013.

Sekulovski Dragan, Executive Director, Association of Journalists of Macedonia, February 1, 2013.

Šopar Vesna, Professor at School of Journalism and Public Relations in Skopje, February 8, 2013.

Srbinovska Sladjana, Project Manager, Civil Society Sector, USAID, February 11, 2013.

Stievater Michael, Director of the Democracy and Local Governance Office, USAID, February 11, 2013.

Trajcevski Zoran, President, Broadcasting Council, February 1, 2013.

Trajkovska Zhaneta, Director, School of Journalism and Public Relations in Skopje, January 30, 2013.

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Zhidas Daskalovski holds a PhD from the Political Science Department, Central European University. He has published numerous scholarly articles on politics in the Southeast European region, as well as co-edited books including: *Understanding the War in Kosovo* (Frank Cass: London, 2003) and *Ten Years after the Ohrid Framework Agreement: Lessons (to be) Learned from the Macedonian Experience*, (CRPM and Friedrich Ebert Stiftung: Skopje 2012). A professor of political science, and one of the most prominent political scientists in Macedonia, he is Director of the Council of Europe supported School of Public Policy [Mother Theresa]. Dr. Daskalovski is the 2008 Young Scientist of the Year of the Macedonian Academy of Science, one of the Distinguished Persons of Bitola of the University of Kliment Ohridski and a recipient of a number of distinguished research fellowships including the Lord Dahrendorf Fellowship at St. Antony's College at the Oxford University, the School of Slavonic and East European Studies Macedonian Studies Fellowship, and the Social Science Research Council/ Ethnobarometer Fellowship at the University of North Caroline. He has written Macedonia country reports for Freedom House/ Nations in Transit, Open Budget Index, Global Integrity Report, Bertelsmann Transformation Index, UNDP People Centred Analysis, UN Human Development Report. His expertise is prominent in the fields of policy analysis in general and decentralization, democratization, ethnic and multicultural issues in particular. Dr. Daskalovski has a thorough policy research experience working for the Center for Research and Policy Making, War Torn Societies Project (WSP), Local Government Initiative, United Nations Department of Economic and Social Affairs (UNDESA) and the European Stability Initiative. He was the Chief Advisor to Mr. New Democracy's leader Imer Selmani at the 2009 presidential and local elections.



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