



Case study report

Does media policy promote media freedom and independence?

The case of Croatia

Nada Švob-Đokić, Paško Bilić

Institute for International Relations (IMO)

Zrinjka Peruško

Faculty of Political Science, Zagreb University

December 2011

Project profile

MEDIADEM is a European research project which seeks to understand and explain the factors that promote or, conversely, prevent the development of policies supporting free and independent media. The project combines a country-based study in Belgium, Bulgaria, Croatia, Denmark, Estonia, Finland, Germany, Greece, Italy, Romania, Slovakia, Spain, Turkey and the United Kingdom with a comparative analysis across media sectors and various types of media services. It investigates the configuration of media policies in the aforementioned countries and examines the opportunities and challenges generated by new media services for media freedom and independence. Moreover, external pressures on the design and implementation of state media policies, stemming from the European Union and the Council of Europe, are thoroughly discussed and analysed.

Project title: European Media Policies Revisited: Valuing and Reclaiming Free and Independent Media in Contemporary Democratic Systems

Project duration: April 2010 to March 2013

EU funding: approximately €2.65 million

Grant agreement: FP7-SSH-2009-A no. 244365

Copyright © 2011
All rights reserved

Disclaimer

The information expressed in this document is the sole responsibility of the authors and does not necessarily reflect the views of the European Commission.

Information about the authors

Nada Švob-Đokić (PhD) is Scientific Adviser in the Culture and Communications Department, Institute for International Relations (IMO), Zagreb. Her professional experience includes research in areas of culture, communication, international cooperation and public policy issues. She has been principal researcher in a number of research projects, such as ‘The Creative and Knowledge Industries in the Countries in Transition’ (2001-2006) and ‘Global Influences and the Local Cultural Change’ (2007-2012). In 2000 she established and coordinated the international project on ‘Redefining Cultural Identities’ (2000-2007) that was initially supported by the EU. Her bibliography includes over 300 articles, studies, monographs, research reports and books in Croatian, English, French and other languages. Dr Švob-Đokić has been a consultant to UN organisations, EU agencies and to the Council of Europe on issues such as the position of women in development projects, EU cooperation with third countries, and cultural and media policies.

Paško Bilić (MA in sociology and history) is a young researcher at the Department of Culture and Communication, Institute for International Relations, Zagreb. He is a doctoral candidate in the Department of Sociology at the Faculty of Philosophy, University of Zagreb. His doctoral thesis entitled ‘Producing contents in the network society: Wikipedia as new space for constructing media events’ focuses on investigating new networked communication theories, social media, wiki projects, computer-mediated communication and qualitative research methods.

Zrinjka Peruško (PhD in sociology) is Associate Professor in the Faculty of Political Science, University of Zagreb and founder and Chair of its Centre for Media and Communication Research (www.cim.fpzg.hr). She participated in EU COST research networks – ‘East of West: Setting a New Central and Eastern European Media Research Agenda’, and in the current ‘Transforming Audiences, Transforming Societies’. Peruško was member of the Group of Specialists on Media Diversity of the Council of Europe (2005-2008) which she chaired in 2006 and 2007. A selection of her recent works includes *Assessment of Media Development in Croatia, based on UNESCO Media Development Indicators*; co-authored book *Croatian Media System according to the UNESCO Media Development Indicators* (in Croatian); book chapters “The Link that Matters: Media Concentration and Diversity of Content”, in *Media Freedom and Pluralism: Media Policy Challenges in the Enlarged Europe* (Ed. B. Klimkiewicz) and “Media Concentration Trends in Central and Eastern Europe“ (co-authored), in *Finding the Right Place on the Map: Central and Eastern European Media Change in Global Perspective* (eds. Jakubowicz and Sukosd).

TABLE OF CONTENTS

Executive summary	5
1. Introduction	6
2. Actors and values of media policy	8
3. The structure of the media market.....	14
4. Composition and diversification of media content	25
5. The profession of journalism.....	34
6. Media literacy and transparency requirements.....	40
7. Conclusion.....	42
8. References	44
9. List of Interviewees	51

Executive summary

The social role and position of the media in Croatia has considerably changed during the last about 20 years. Efforts invested in the restructuring of the media, in the establishment of media markets and in the development of new regulations and laws were not coordinated or carried on within a concept of the media policy. This concept has evolved as the result of the ongoing developments to reflect the need to organise communication within the partly restructured and still rather chaotic public domain. Now media policy is expected to incite further improvement of regulations, deal with challenges posed by new technologies and new types of media consumption, and meet the needs of a democratic public communication.

The number of actors involved in Croatian media policy has been constantly growing as a result of the expanding media market characterised by fast privatisation and liberalisation, political interaction among different players, reorganisations within the state administration, the influence of civil society organisations and ever faster technological changes. The key role of the state in the formulation of media policy has remained unquestionable.

Croatian media policy includes extensive statutory requirements regarding diversity and pluralism of media content in terms of programme types of socio-cultural and political interest, and regarding standards of objectivity and impartiality for information reporting. The provisions of the European Convention on Human Rights and the standards of the Council of Europe in the media field are observed. Support for minority media, programmes for minorities and the programmes of public interest are included in the media policy and subsidised through public funds. There is no prior restraint in Croatia, and the courts have never adjudicated on this.

The journalism profession is marked by ever lower standards of reporting and content producing. The employment possibilities have grown, but the working conditions of journalists have worsened as market logic prevails over professional logic and ethical behaviour. Media literacy initiatives and transparency requirements are not clearly linked. Enabling citizens to make informed choices about media services is individualised.

The Croatian media policy promotes the protection and promotion of the media freedom and independence, and laws and regulations have an important bearing on its configuration. While the democratic role of the media and media freedom and independence have been checked against the role of the state and political parties, the influence of market pressures on media independence has remained less transparent.

1. Introduction

The Croatian media landscape has been described as largely diversified and rapidly growing as a result of the increase in information sources (Popović et al., 2010), increased distribution and consumption of information, fast technological changes enabling equally fast convergence, diversification of content implying de-standardisation of its qualitative characteristics and the rapid evolvement of media regulations.

The media have been radically transformed to adapt to media industrialisation processes and global media industries and networks. The initial industrialisation of the media has led to their faster expansion and has created problems for all participants in the processes of media production: journalists, editors, media managers, advertisers and audiences. In this respect the media market has been radically changed through the privatisation of the media and in order to avoid increasing direct state and political intervention. At the same time, public and civil society demands related to democratic discussion of the new media laws and regulations (or their amendments) have been marginalised while the national media system has been exposed to transnational media influences and interests.

Media policy has not always followed these rapid developments and radical changes in the media and their social roles. Its dynamic evolvement over the last 20 years or so testifies to the considerable efforts invested in the restructuring and transformation of the media, in the establishment of media markets and in the development of new regulations and laws affecting the media system and markets. Media policy has been under pressure to become better managed and demands for evidence-based media policies have increased. At the same time, the Croatian media policy has constantly referred to European instructions and regulations, which have not always coincided with local situations (Bilić and Švob-Đokić, 2011) and therefore could not always inspire the formulation of appropriate rules.

These are the reasons why media policy needs to be further adjusted to the transitional public domain, the rapidly expanding new technologies and the process of individualisation of media consumption, as well as to the emerging new types of communication interactivity. Although the position and social role of the media has changed considerably in the last 20 years or so, the media in Croatia have not yet been established as an autonomous system of information, education and entertainment, increasingly internally diversified and specialised, as well as self-referential to a certain degree. Public life and institutions have been more and more submitted to the complex media influences and mediated. The media have appeared as agents of social and cultural changes (Hjarvard, 2008), but their role in this respect is primarily reflected in the increased number of media and the social impact of new media.

The Croatian media have been shaped through privatisation, marketisation and (not always adequate) state regulations. They are affected and empowered by new technologies and diversified through localisation. As political influences on the media diminish, transnational corporate interests and local private interests grow. The media are quite quick in establishing new connections and alliances, be these national (particularly at the level of local and city authorities) or transnational (global companies). As they demonstrate different types of dependencies, the quest for free and independent media may rapidly change and become seen as less realistic. It may be seen as a reflection of the character of the Croatian public sphere, which demonstrates a set of local democratic practices oscillating between democratic ideals and the harsh realities of wild capitalism. In such a context those involved in policy-making promote different regulatory strategies, although technological convergence demands increased mutual reliance among all those involved in media policies.

In Croatia a more integrative and inclusive way of thinking about the media is needed. So far most analyses have been concentrated on the 'hard facts' (historical facts, economic

and market positions, commercialisation, privatisation, competition, state laws and regulations, the function of public services, and so on), while the quality of content and its social roles have rarely been analysed.

The text that follows presents the actors and main values involved in media policy, the Croatian media market, aspects of media content, the profession of journalism and media literacy interpreted through policy measures and regulations that link and organise all elements of media production and consumption in order to analyse the democratic role of the media and examine whether the media perform as independent agents of information and debate that facilitate the functioning of democracy.

2. Actors and values of media policy

2.1 The actors of media policy

The number of actors involved in the formulation and implementation of Croatian media policy has been constantly growing as a result of the development of the media market, political interaction among different political players, reorganisation within the state administration, the influence of civil society organisations and ever faster technological changes that have eased communication in general.

According to their roles in the formulation and implementation of media policy, actors can be roughly divided into those who are primarily involved in the design and formulation of media policy (the state, parastatal agencies and regulatory bodies); those who are primarily involved in the implementation of media policy (media organisations, professional associations and civil society organisations, independent media regulators and courts) and those who influence the media production and distribution as individuals (journalists, editors, media researchers, etc.). Their functions and activities often overlap and are not always quite clearly defined.

The Croatian Parliament and its specialised Parliamentary Committee on Information, Computerisation and the Media have the legislative and consultative role in designing media policy. The government plays a central role in the processes of policy formulation, regulation and implementation. Its functioning is rather diversified and the tasks of media development, policy formulation and regulation have been assigned to two ministries: the Ministry of Culture (the central state administrative body with responsibilities for the formulation of media policy and its related legislative framework for both broadcasting and the print media) and the Ministry of Sea, Transport and Infrastructure (responsible for the technological development of electronic communications and infrastructure and for the technological regulation of broadcasting). A number of agencies have been established to follow, analyse and resolve various aspects of media functioning (e.g., technological, infrastructural, regulatory, financial).

The regulatory bodies/parastatal structures specialise in electronic media or in the regulation of the media market. The Electronic Media Agency is managed by its Electronic Media Council (VEM), an independent regulatory body which monitors the electronic media ownership structure and operates the Fund for the Promotion of Pluralism and Diversity of Electronic Media. It decides on the allocation, transfer and withdrawal of broadcasting licences, and reports directly to the government and the parliament. The Croatian Post and Electronic Communications Agency regulates electronic communications (post, internet, mobile telephone networks, etc.) and the electronic media market. In this respect it influences the media market. The Council for Market Competition Protection operates within the Agency for Market Competition Protection (AMCP). Through the Croatian Chamber of Economy it monitors ownership shares in the print media companies with the aim of preventing monopolies and controlling ownership concentration in the media market.

Media organisations are in private, state or mixed public/private ownership and have various specialisations and interests. They are structured as either national or local. The number of media organisations in Croatia fluctuates constantly. At present there are approximately 870 print media, 30 TV channels (nine with national concessions), 168 radio stations (five with national concessions) and 66 Internet service providers.¹ About 350 active

¹ For electronic media see the Electronic Media Agency, available at: <http://www.e-mediji.hr> (date accessed 15 September 2011)

portals are in the process of organising themselves² in order to define their place in the media market.

Professional and civil society organisations include the Croatian Journalists' Association (HND, established in 1910), the Croatian Journalists' Union (established in 1990), the Croatian Helsinki Committee (established in 1993), Gong, a non-partisan citizens' organisation founded in 1997 to encourage citizens to actively participate in political processes, and other civic organisations (e.g., Helsinki Watch; Transparency International Croatia) supported by the National Foundation for the Development of Civil Society (established as a public foundation in 2003). Their role in media policy and regulation mostly pertains to the status of individual professionals (journalists) or to the monitoring of human rights, and freedom of expression and information in particular, as well as higher professional criteria and expertise in journalism. These organisations occasionally attract media and public attention related to the advocacy of democratic procedures to be applied in treating issues of public interest.

Courts (and processes of litigation) influence media policies in one main aspect: the protection of privacy, dignity, reputation and honour (Media Act, Art. 7). Most cases treated by courts have been private charges (libel and defamation, privacy violation) raised by politicians of the ruling party (Croatian Democratic Community – HDZ) against journalists and media organisations and dealt with according to the Penal Code. The amendments to the Penal Code (amended 11 times since 1997) removed prison sentences for libel and punishment became a fine. This was publicly seen as supportive of freedom of expression, which led to a decrease in the number of cases brought against journalists and media publishers.³ The new Penal Code adopted by the Parliament on 21st October 2011 introduces 'shame' as a possible offence.

Media owners' consortia and associations are rarely established as structured organisations, but they nevertheless play an increasingly important role in the formulation and regulation of media policies. The state reappears in this role as well, as it owns one newspaper and one news agency, and also rather strongly influences the public service broadcaster Croatian Radio-Television (HRT), which is basically financed through licence fees. The local media, both print and electronic, are mostly of mixed private and public ownership, both domestic and foreign. The large privatised media, mostly print and TV do not display a completely clear ownership structure. Most are of mixed ownership, as are also the new online market oriented media services. The ownership structures are not completely transparent and their monitoring is complicated and difficult due to the low visibility of data, which are often disguised through a number of informal arrangements among owners and other interested actors. However, state, public and private ownership are quite clearly visible and the types of influence they exercise on media policy are differentiated accordingly. The policy roles of media owners remain loosely structured, diverse and oriented towards short-term interests, and in this respect they put strong pressures on public actors designing media policy. At the same time they may stand for media independence and promote the freedom of expression only when and if it suits their particular interests.

² The first regional conference of the independent and non-profit media, organised by H-Alter was convened to discuss the position of media portals in Croatia, Serbia, Bosnia and Herzegovina and Monte Negro in Zagreb, 25-26 March 2011.

³ During the on-going election campaign pressures against journalists and publishers again increased. As the information on the use of illegal financing ('black funds') was widely published, the ruling party, the Croatian Democratic Community (HDZ), publicly threatened to discover and punish journalists and sources who disclosed this information. See *HRT Daily News*, 13-15 September 2011.

Individual professionals (journalists, researchers, professors, intellectuals) active in the media or analysts of media may influence media policy by promoting their own standpoints and knowledge of the media. However, their influence is not much felt in media policy, although they may occasionally promote particular aspects of policy orientations.

Media policy and media regulatory functions remain mostly with the state. It has professionalised and widened its influence through the creation of parastatal and regulatory agencies supposedly specialised to cover the most pertinent problems of media policy and development. The state actors essentially define the media system in Croatia as it is increasingly exposed to market influences. Some functions and roles in media policy formulation and implementation therefore overlap or may even contradict each other. There are actors who stand for a set of very particular interests (e.g., journalists or private media owners) or those whose interests may be easily changed and which quickly fluctuate (e. g., in the state ministries that tend to adapt media policies to particular political interests).

All actors participating in the formulation and implementation of the Croatian media policy do not share the same values. Their characters and social roles are different, and they differently approach the proclaimed values, which they do not contest in principle, but practice in different ways, partly and occasionally.

2.2 The values followed by the media policy

The values that dominate the Croatian media policy are freedom, diversity and plurality. They are defined and specified through about 20 laws and regulations pertaining to the media. The freedom of expression and information is declared a priority and accepted as a guideline in the formulation of almost all aspects of media policy. Stated in the Constitution (Art. 38)⁴ as a value promoting free speech and the right to information, it provides a platform for the media to function as ‘carriers of public discourse’ observing the ‘freedom to hold, receive and impart information and ideas’. Such orientation shapes the public role of the media, which has been radically changed during the processes of post-socialist transition and is basically defined as an effort to inform, communicate and interpret public activities and their goals, as well as to express the society’s main concerns. In this respect the public role of the media is broadly highlighted as an unspecified ‘social value’ (Anagnostou, Craufurd Smith and Psychogiopoulou, 2010: 5, 11). Freedom, diversity and plurality also constitute a framework for the mediatisation of the public interest (Krotz, 2007) within the loosely structured public sphere, as this expresses the general democratic orientation of the Croatian society. The difficulties in (re)defining the public role of the media and establishing public interests clearly have adverse effects on democratic practices in Croatia.

The general perception of freedom of expression and information is very positive and it is well accepted by the public. It is also widely supported by the expansion of new technologies (the Internet in particular) which allows for unrestrained communication among all interested parties. Some opinions gathered from interviews⁵ are illustrative in this respect: ‘Anything can be published today, if you also count portals. However, a certain fragmentary approach has become characteristic of our job [journalism]... the authorship is not respected’ (Interviewee C1). This illustrates the fact that liberty of expression is acceptable, but its

⁴ Official Gazette (OG) 56/90, 135/97, 113/00, 8/01 and 55/01 corrigendum.

⁵ The MEDIADDEM research in Croatia included 28 interviews with the media policy actors. In line with the project guidelines the interviewees have been codified in three categories: A) actors involved in the formulation of media policy, B) actors involved in the implementation of media policy, C) journalists and other actors involved in media policy. See the List of Interviews.

practice opens up a set of new issues and dilemmas. This is visible when the protection of interests such as human individuality, privacy and dignity competes with freedom of expression. In present media practices this happens when the media insist on 'hot' issues even if these are of minor interest to society.

Diversity and plurality⁶ are particularly promoted by the Fund for the Promotion of Pluralism and Diversity of Electronic Media, established by the Electronic Media Act provisions that have included the Audiovisual Media Services Directive (AVMS Directive) solutions.⁷ The fund is administered by the Electronic Media Council (VEM), and financed by 3% of HRT licence fees. It supports broadcasters at local and regional levels⁸ who serve local communities and sometimes introduce the usage of local dialects in broadcasting (e.g., in the Istria region). A substantial interest in promoting and supporting diversity and plurality in the media also comes from the market, which has already influenced growth and diversification of the media and media programmes and has introduced ruthless competition among broadcasters. This has led to programmatic diversity and convergence and to standardisation of programmes at a certain level of competitiveness. It would be difficult to claim that diversity and plurality as they are promoted in Croatia may directly contribute to media freedom and independence. It is true that the media invest in diversity and plurality of their programmes, but it would be difficult to see to which extent such diversification supports the freedom of expression, and, if it does, whether such practices may lead to an increased independence of the media.

The values such as freedom, diversity and plurality dominate all regulatory aspects of the Croatian media policy. They have been largely inspired by the EU Charter on Fundamental Rights which is fully and formally observed through media policy regulations.

The other observed values include free access to information and observance of ethical aspects of the media operation. The regulated free access to information⁹ largely influences all media activities. Although generally accepted as a democratic value, it is implemented with difficulty. Political, public and private organisations are not always willing to give the requested information, and they are successful in rejecting the legal obligations to do so. On the other hand, the ethics codices¹⁰ that are expected to regulate the work of journalists and media publishers and thus protect the values such as truthfulness and objectivity of information are very rare and often disregarded.

Presently the priorities of media policy in Croatia include: clarification of the new public roles of the media; further improvement of media regulations¹¹ in line with media policy convergence at the EU level (Dolowitz and Marsh, 2000); enforcement of legal provisions; establishment and enforcement of self-regulatory instruments; restructuring of media organisations (primarily the public service broadcaster HRT and the Croatian News Agency HINA); and the strict observance of freedom of expression. The establishment of a reliable data base on the print run and circulation of the printed press (which increases transparency of the market) is fairly high on the agenda. The treatment of new and social

⁶ See Chapter 4.

⁷ Directive 2010/13/EU of the European Parliament and of the Council of 10 March 2010 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (Audiovisual Media Services Directive).

⁸ See Chapter 3.

⁹ Access to Information Act, OG 172/03

¹⁰ HRT Code of Ethics; HND Code of Honour of Croatian Journalists (Kodeks, HND, 2006), applied through activities of the HND Ethics Council.

¹¹ The Media Act, the Electronic Media Act, regulations on the Croatian News Agency (the Act on HINA) and on the public service broadcaster (the Croatian Radio Television Act) are particularly mentioned in this respect.

media services represents a challenge and demands further investigation into the character and functioning of about 350 registered (and an unknown number of unregistered) portals that are looking for a kind of policy reaction to shape their existence, as media policy has so far remained generally non-committal regarding the rapid penetration of new technologies and their social impacts. The priorities also include the further development of infrastructure and digitalisation strategies.

The enumerated priorities reflect an effort to implement the proclaimed values, particularly the freedom of expression and media independence. However, the overall social and political setting reflected in the editorial dependencies on advertisers or on political mentorship deeply affects media functioning, which makes the promotion and acceptance of the proclaimed values difficult.

The regulatory tools crystallise the social situation of the media and reflect the main goals of the media policies. The main values backing the media policies in Croatia are expressed in the Constitution of the Republic of Croatia and detailed through a number of provisions of the Media Act, the Electronic Media Act and the Access to Information Act. Media acts have been frequently changed and amended.

The Constitution (Art. 38)¹² defines freedom of expression in its full complexity: freedom of the press and other media, freedom of speech and public expression, as well as the right of free establishment of all institutions of public communication. Any form of censorship is forbidden. The right of correction is guaranteed. Incitement to war, violence, national, race or religious hatred, or any other type of intolerance, is prohibited.

In the spirit of the constitutional provisions, the Media Act¹³ further develops the freedom of the media and states that it is particularly based on: freedom of the expression of opinion, independence of the media and freedom of collecting, researching, publishing and disseminating information. It guarantees pluralism and diversity of the media, the free flow of information and the openness of the media to different opinions and various contents.

The Media Act, Telecommunications Act,¹⁴ Electronic Media Act,¹⁵ in accordance with the EU Television without Frontiers Directive,¹⁶ and the Access to Information Act were all passed in 2003. They constitute the backbone of the Croatian media regulatory framework.

Since 2004, when Croatia gained EU candidate country status, important regulatory changes have occurred. In 2008 the Electronic Communication Act replaced the old Telecommunications Act and the new Concessions Act was passed. The new Electronic Media Act transposing the AVMS Directive and taking certain steps towards regulating new media was passed in 2009, as well as the new Market Competition Protection Act. The Media Act and Electronic Media Act were modified and amended in July 2011 to help increase the visibility of media ownership.¹⁷ A specific act on the public service broadcaster HRT¹⁸ was redesigned and passed in 2010.

The European Commission 2010 Progress Report for Croatia states, in Chapter 10 (Information Society and Media), that Croatia has achieved a high level of alignment with the

¹² *OG* 56/90, 135/97, 113/00, 008/01; 55/01 corrigendum.

¹³ *OG* 163/3, 59/04.

¹⁴ *OG* 122(03), 60 (04), 70(05).

¹⁵ *OG* 122(3).

¹⁶ EC Council Directive 89/522/EEC.

¹⁷ Decision on Declaration of Modifications and Amendments of the Media Act, and Decision on Declaration of Modifications and Amendments of the Electronic Media Act, available at: http://narodne-novine.nn.hr/clanci/sluzbeni/2011_07_84_1795 (date accessed 6 September 2011).

¹⁸ *OG* 137/2010.

acquis (Working Group for the preparation of negotiations concerning Chapter 10 – Information Society and Media, 2008). However, it also states that the capacity of national regulators needs to be strengthened in order to better implement the legal framework (Bilić; Švob-Đokić, 2011: 3). It is evident that the regulatory tools have been developed in line with the processes of Croatian integration into the EU and mostly inspired by EU influences.

The Croatian state has developed regulations covering the human individuality; protection against libel and the right to response; protection of privacy and dignity; the right to protect information sources; conscientious objection; prohibition of hate speech, and similar. Most of these regulations have been generally well accepted and taken as incentives to improve the standards and quality of media production. The regulatory tools reflect the proclaimed and generally accepted values but their practical implementation and enforcement is not sufficient. A number of actors who should enforce the usage and full implementation of these regulations are not quite qualified or well organised to do so. Political powers represent different and unharmonised interests which further hinder a concerted application of regulatory tools, while the state administration is not fully able to enforce these at either national or local levels. The values promoted through the regulatory tools are therefore difficult to fully apply in the course of implementation of media policy.

3. The structure of the media market

The impact of EU negotiations on structural regulation in Croatia has been significant. Since 2005 the European Commission progress reports on negotiations under Chapter 10 on Information Society and Media¹⁹ have continuously emphasised the need to effectively liberalise the electronic communications market. Progress reports for 2009 and 2010 stress the uncompetitive state support for national audiovisual production and the need to create a more competitive environment in the audiovisual market. As a part of the negotiation process Croatia has continuously aligned its legislative framework and the functioning of the regulatory bodies with the European Commission regulations, instructions and suggestions. The latest progress report states: ‘Political will and technical efforts are needed to sustain liberalisation of all segments of electronic communications markets, to yield tangible results in terms of development of the information society and to promote competition on the broadcasting market and the independence of the public service broadcaster’ (European Commission, 2010: 35, 36). The EU influence has had a multiple effect on the media system. On the one hand, pressures toward implementing legal provisions and adopting certain democratic values have mostly had a positive effect. On the other hand, pressures toward liberalisation of the market have made the media increasingly dependent on commercial interests, rather than on the democratic interests of citizens.

Technological innovations have created a much more complex media environment in a very short period of time. However, structural regulation of these developments is lagging behind. Regulation of online media is still very limited. Television broadcasting is digitalised and new concessions were granted to some of the already existing commercial media companies thus strengthening their market position. The possible establishment of specialised public service channels will probably create a different public/private balance in the television market tipping the dependencies away from the market. The telecommunications market, besides HT which has significant market power in several markets, shows new concentration trends. The recent takeover of B-Net by VIP²⁰ will create a strong national operator in the telecommunications market of mobile and fixed telephony, Internet services and cable television. Freedom and independence from commercial interests are increasingly becoming visible problems for media policy in Croatia. These values are not sufficiently supported by the legislation and media policy.

Media policy makers agree that the influence of market players and market conditions plays a key role in formulating media policy today since the media are increasingly dependent on advertising. For example: ‘The publishers of both print and electronic media have the strongest influence. ... publishers, and after them advertisers, therefore it is an industry, it is a sort of unwritten blackmail. Meaning, I will buy marketing space in your newspapers or electronic media, but you have to be careful that you write good things about me, otherwise I will withdraw my order and go to someone else and suchlike. Therefore publishers and advertisers have the biggest influence, far bigger than politics or anything else’ (Interviewee A4). Or in another case: ‘Political pressure is far less significant in relation to the pressures from owners and advertisers ... because their main source of income comes from advertising and not from selling their services’ (Interviewee A3). The state has developed several mechanisms for balancing the structure of the market by promoting independent and non-profit media production. There are legal provisions that allow for independent and non-profit audiovisual and/or radio media service providers to receive concessions for fulfilling the

¹⁹ For the 2005 report see: http://ec.europa.eu/enlargement/archives/pdf/key_documents/2005/package/sec_1424_final_progress_report_hr_en.pdf; for later years see: <http://www.eu-pregovori.hr/> (date accessed 4 October 2011).

²⁰ Danas.net.hr (2011).

informative, educational, scientific, artistic, cultural and other needs of the public in their programming schemes. The Electronic Media Act also enables them to use the Fund for the Promotion of Pluralism and Diversity of Electronic Media. The National Foundation for the Development of Civil Society includes programmes for the development of democracy and civil society through non-profit media projects. However, these media do not have a significant impact on overall structural regulation.

3.1 Ownership structures and audience shares

The *total value* of the Croatian media market is hard to establish. According to some estimates it was roughly €628 million in 2008 (Peruško, 2011: 86). Available indicators now show that it increased further in 2009.²¹

As regards the *print media*, the dailies with the largest circulation are in the hands of two foreign companies. Austrian Styria Media International AG owns *24 sata* (31% audience share in 2009) and *Večernji list* (13.4%), while the German Westdeutsche Allgemeine Zeitung Medien Gruppe, the biggest shareholder of Europapress Holding (EPH), owns the high circulation dailies *Jutarnji List* (13.6%) and *Slobodna Dalmacija* (6.8%).²² Two political weeklies with the largest audience share are *Globus*, owned by EPH, and *Nacional* owned by NCL Media Grupa d.o.o.²³

According to the data from the Electronic Media Agency (AEM) there are currently 30 television channel concessionaries operating in the Croatian TV market of which there are 9 national channels with 2 public service channels (HRT 1 and HRT 2).²⁴ Private television broadcaster Nova TV is 100% owned by Central European Media Enterprises (CME) from the Netherlands and RTL by the RTL group. The ownership structure of RTL recently changed due to the fact that two food dealers, Agrokor and Atlantic Grupa owned 13% of the shares each, while Agrokor also had 50% of shares in a marketing company. This violated Article 60 of the Electronic Media Act for impermissible concentration. After repeated requests by the AEM the ownership structure was realigned with these companies selling their shares. However, both owners of these two companies remained on the supervisory board of RTL despite these ownership changes (Novokmet, 2011b). The TV audience share for the two public service channels in 2009 was high (42.8%) although it had experienced a drop of almost 10% from three years earlier. RTL had a share of 22.2% in 2009 and Nova TV 20.6% (European Audiovisual Observatory, 2010).

In the *radio market*, there are 168 radio station concessionaries of which 5 are national and 4 regional.²⁵ The radio market is regionally fragmented although there are trends towards creating networks of local broadcasters.

²¹ The total budget for the Electronic Media Agency (AEM) in 2009 rose from 12 483 342 to 13 682 031 HRK (AEM, 2010a). It receives its financing from 0.5% of total annual gross profit from all electronic media organisations providing audiovisual media services. This means that the actual income of the electronic media has increased from 2.5 billion HRK to 2.7 billion HRK. State support for the HRT public service was also increased from 1 065 million HRK to 1 133 million HRK. The AGB Nielsen estimate for advertising share in the media market states that TV advertising share increased slightly from 49% to 51% (Peruško, 2011: 87).

²² See: Popović *et al.* (2010).

²³ According to the AMCP (2010d), in the first seven months of 2008 *Globus* had 60-70% of sales while *Nacional* had 30-40% in the same period. In 2011 two new political weeklies entered the market: *Aktual* (established by journalists who left *Nacional*) and *Forum* (established by the Styria Group).

²⁴ This is according to the list of television publishers on the official AEM website which is available at: http://www.e-mediji.hr/nakladnici/televizijski_nakladnici.php (date accessed 11 June 2011).

²⁵ According to the list of radio publishers on the official AEM website which is available at: http://www.e-mediji.hr/nakladnici/radijski_nakladnici.php (date accessed 11 June 2011).

As regards the *telecommunications market*, the telecommunications infrastructure was privatised after 35% of the shares of the former monopoly state operator Hrvatske Telekomunikacije (HT) were sold to Deutsche Telekom (DT) in 1999. In 2001, DT was allowed to purchase further 16% of shares. According to the Croatian Post and Electronic Communications Agency (HAKOM) there are 66 Internet service providers (ISPs) operating in Croatia.²⁶ The dominant ISP is T-Com (a subsidiary of HT) with 72%. Optima, Optinet and B-NET have around 6% each and Iskon Internet (100% owned by HT) and CARNET have around 5% each. There is also a diverse number of TV channel distributors including 20 cable operators, 2 satellite packagers, 4 Internet protocol television (IPTV) packagers, 1 DTT multiplex operator and 1 mobile phone TV packager (European Audiovisual Observatory, 2010). HT Max TV service dominates the IPTV market.

3.2 Media concentration

Regardless of the market competition rules and the pluralism provisions through transparency and concentration limitations, the overall national media legislative framework is not always coherent. Insufficient ownership transparency is one of the key issues. On 15 June 2011 the Council for National Security discussed the flow of suspicious financing into the media. The prime minister called for changes in the regulatory framework in order to trace the names of the individuals who own media and not just the legal entities as the current laws require.²⁷ The day before the council meeting the Croatian Journalists' Association (HND) sent an open letter to the members of the Council, welcoming the discussion and highlighting the need to obtain concrete results in tracing criminal funds and corruption in media ownership. The HND also warned the Council not to use the meeting for political purposes and gains but to strengthen the work of state bodies in tracking criminal activities.²⁸ As a result of these discussions, changes in the Electronic Media Act²⁹ have recently been passed in order to ensure more transparent ownership.

Almost all interviewed actors with different roles in the media system agree on the point that the Media Act is outdated and that it needs to be amended. For example: 'The Media Act should in fact, through its structure, connect electronic and print media. This is not irrelevant because both are complementary and it seems to me ... that if you make a good law you can perhaps correct some deficits in the Croatian Radio and Television Act and the Electronic Media Act' (Interviewee A2). Others are more openly critical of media policy in general: 'Do we even have media policy? I am not sure we do because, I think, you have a whole list of regulations which are somewhat islands; they did observe each other slightly and it has improved a bit, but basically you have no comprehensive idea of how it should all look' (Interviewee B8). Media regulation and the application of competition rules in the media sector are not administered by the same institutions. In fact there are three: the Croatian Chamber of Economy, the Electronic Media Agency and its VEM, and the Agency for Market Competition Protection.

Concentration of ownership in the field of print media is restricted through the Media Act, in the electronic media through the Electronic Media Act and in the telecommunications area through the Electronic Communications Act. The Media Act stipulates that all media organisations have to register with the Croatian Chamber of Economy (CCE) which is supposed to keep a register of the ownership structure, business results, average planned

²⁶ See <http://www.hakom.hr/default.aspx?id=327> (date accessed 12 December 2011).

²⁷ See Simonović (2011).

²⁸ See Vjesnik.hr (2011).

²⁹ OG 84(11).

circulation, number of printed editions, average audience share and market share in the advertising market. Some of the data is not open to the public, including audience and advertising shares. At present the CCE keeps a register on print media only, since according to Article 52 of the Electronic Media Act, electronic media publishers report their data to the Electronic Media Council (VEM). The VEM also grants concessions to radio and television publishers in accordance with the Electronic Media Act and the Concessions Act. Impermissible concentration is set above 40% of total sales of weeklies and dailies. The Electronic Media Act prohibits horizontal and vertical concentration for television, radio and print media. There are no explicit rules on determining relevant markets for print, radio and television except for a general *Regulation on determining relevant markets* which has no specific media market component.³⁰

There are no restrictions on foreign media ownership but all foreign owners have to register in Croatia. Print, television and telecommunications markets show trends of concentration in the hands of predominantly global media and telecommunications companies. When discussing concentration trends, the size of the Croatian market should also be taken into account since it would be unrealistic to expect greater competition in such a small market (Cerovac, 2007a: 6). The European Commission (2007b) for example states that: ‘In our opinion, the fact that non-domestic owners are important players in some markets do not necessarily pose a threat to media pluralism. It depends very much on the legal safeguards in place and real editorial independence from the owner’. Recent events in Croatia show that journalists expect pressures on their profession where there are opaque ownership structures.³¹ Some news reports have spoken of suspicions that the new owners of the weekly political magazine *Nacional* are connected to the German WAZ company since they were previously involved with it during the anti-trust accusation of that German company.³² Ownership regulation and concentration restrictions do not guarantee diversified ownership structures. Pressures on editorial freedom stemming from ownership seem to be disconnected from these regulations. The contribution of ownership and concentration regulation to freedom and independence of the media is not clearly visible except in marginal cases.

3.3 Media pluralism

The specific rules on ownership and concentration restrictions in the Electronic Media Act are sectioned under the protection of pluralism and diversity of electronic media and are set to secure pluralism in this specific market. There are different views as to whether these ownership and concentration restrictions can indeed secure pluralism and diversity of opinions and viewpoints. Cerovac (2007b: 2, 3), for example, claims that they should be more clearly separated since they create difficulties for regulatory bodies in implementing inconsistent and imprecise rules. He claims that this means that policy makers are trying to achieve the goals of reaching one constitutionally guaranteed category of media pluralism through giving ordinances for another constitutional category of market competition protection. Other authors, such as Peruško (2011: 62), claim that the level of 40% for impermissible concentration in the print media is still too high for the Croatian market and should be reduced. She (2011: 88) also claims that there are other measures for ensuring media pluralism such as: establishing professionally accepted definitions for determining relevant markets; further developing transparency requirements for ownership and advertising

³⁰ OG 51(04).

³¹ E.g., one weekly political magazine with a large audience share (*Nacional*) was recently bought by two foreign citizens and this takeover caused a large number of employees to leave the company. See HRT (2011).

³² See PoslovniPuls (2010).

data; conducting stimulating measures for the development of pluralism and diversity of programmes through the pluralism fund; and developing regular monitoring of programme requirements by the AEM.

When it comes to freedom and independence of the media it seems that pluralism provisions have not created a freer and more independent media environment. Mostly foreign and private media companies have created an environment in which advertising revenue has precedence over fulfilling the public interest for diverse opinions and informative content. Journalists' working position is especially difficult in that context since the pressures for content production deviating from ethical standards of the profession create strains on them.

3.4 The role of competition law

In the context of competition analysis the competition law has no specific guidelines for determining media markets so the *Regulation on determining relevant markets*³³ is applied. This regulation is used as a basis for calculating market shares in the procedures led by the AMCP. Print, broadcast, print distribution and other aspects of the media market are treated as separate markets except in cases of cross ownership. According to Article 3 of the *Regulation* the relevant market is defined as a market of specific products through which the entrepreneurs enter into market competition in a defined geographic area. Article 5 states that the relevant market encompasses all products which the consumers believe to be replaceable regarding their relevant characteristics, price or type of usage (replacement product or a substitute). Media acts relating to the media market are set to ensure ownership transparency and specific concentration restrictions. General competition law applies in cases of prohibited agreements, for example on joint price increases and misuse of dominant market position. There are no preferences for using either competition laws or specific media ownership laws as this depends on the situation and legal breach in each specific case.

The Media Act, in Article 35, states that the general competition law relates to all publishers and legal persons conducting media distribution, as well as to other legal persons who are providing public information. The Electronic Media Act, in Article 65, states that general competition law relates to all media service providers. However, media ownership rules are specifically covered in the Media Act and Electronic Media Act while the Market Competition Protection Act has different provisions for regulating general ownership and concentration. Electronic media publishers have to report any change in media ownership structure to the VEM and AMCP, while the AMCP decides on whether this ownership change has resulted in impermissible concentration according to the Electronic Media Act ordinances. The Media Act (Art. 36, para. 2) stipulates that entrepreneurs in the electronic media market have to report their concentration intention regardless of the fulfilment of the proscribed thresholds in the Market Competition Protection Act.³⁴ If the AMCP determines impermissible concentration, the VEM can revoke concessions for involved participants.

The role of competition regulation in media is to ensure ownership transparency and concentration restrictions through the Media Act and Electronic Media Act. According to Article 52 of the Electronic Media Act all media service providers have to report information on their shareholders to the VEM by the end of January of each calendar year. The VEM will

³³ OG 51/04.

³⁴ These thresholds in the MCPA are set at 1 billion HRK of total consolidated income of all concentration participants gained through selling of the merchandise or service in the world market in the financial year that predates concentration or, if the total income of any of at least two concentration participants in the Republic of Croatia in the financial year that predates concentration, was at least 100 000 000 HRK.

not grant concessions if it is determined that the concession would result in impermissible concentration. Every ownership structure change has to be reported to the VEM. According to Article 57, paragraphs 2 and 3, if the VEM determines that the ownership structure change has resulted in impermissible concentration it will demand that the media service provider realigns its structure. If this is not met by the prescribed deadline, the concession will be revoked. Article 55 of the Electronic Media Act states that impermissible concentration relates to cases of high capital share between television and/or radio broadcasters, daily newspaper publishers, news agencies, media on-demand services and distribution channels (satellite, Internet, cable). However, it does not determine any thresholds in these cases nor does it prescribe restrictions on concentration in cases involving electronic publications. Article 2 of the Market Competition Protection Act proclaims that it is applied to all ways of preventing, limiting or violating market competition on the territory of the Republic of Croatia, or outside of the territory if it has consequences for the Republic of Croatia.

Measures in general competition law that can also be applied to the media market include prohibited agreements and the misuse of dominant market position. These are used as additional tools for regulating the media market and there have been several occasions when they were applied. An example of this is the case of the prohibited agreement between the EPH and NCL Media Grupa on a joint increase in price from 12.00 HRK to 14.00 HRK in the same week in 2008 of the two high circulation national weeklies *Globus* and *Nacional*. As stated in the official decision, this prohibited agreement had the following effect: ‘In the described way the market mechanisms that should force entrepreneurs to conduct more efficient operation costs and ensure quality press have disappeared. The motive and the need of participants to compete in quality press content and introducing innovations have vanished’ (AMCP, 2010d). A forbidden agreement and coordinated price increase also occurred between 10 national daily press publishers in 2008, and the AMCP (2010a) acted accordingly.

Competition law does not have any specific rules on taking into account media diversity nor has it been modified for that purpose. There are general media pluralism and diversity definitions in Article 5, paragraph 2, of the Media Act, and Article 9 of the Electronic Media Act declaring that the state shall encourage the production of specific programme content³⁵ of special interest for the Republic of Croatia.

There were competition cases when a particular merger had been conditionally approved. In the case of the acquisition of the newspaper *Slobodna Dalmacija* by EPH in 2004, the AMCP allowed this reported concentration under the condition that the EPH sells its share in the distribution company Tisak in order to avoid concentration in the distribution market. The AMCP acted according to the Media Act provisions for impermissible concentration and conducted a market analysis of the daily press sales, press distribution and advertising market in the dailies. As stated in the official decision and due to the financial difficulties that this daily was facing at the time: ‘The most significant effect of the conducted concentration will be saving and preserving the brand “Slobodna Dalmacija” and the know-how of its employees and especially the journalists who know the needs and habits of the readers of this predominantly regionally focused general information daily’ (AMCP, 2004).

In other cases, however, acting strictly from the perspective of market competition protection, for example in the case of the forbidden agreement and coordinated price increase between 10 national daily press publishers in 2008, the AMCP has acted against the forbidden agreement.³⁶ Therefore, there are only implicit considerations of the specificities of the media

³⁵ See Chapter 4.

³⁶ As stated in the decision explanation: ‘Every entrepreneur in the market conditions is responsible for his business decisions and his demeanour on the market. In that demeanour he is autonomous and free until it

market in the rules targeting quality content. However, in the above-mentioned cases there were no expert opinions from the specific regulators in the media system. As a matter of fact, in the case of the EPH purchase of *Slobodna Dalmacija*, neither the Ministry of Culture nor the Croatian Chamber of Economy were able to provide relevant market data to the AMCP despite repeated requests. The AMCP relied on the data provided by a specialised market research company and directly from involved actors in the designated markets.

The relationship between competition and pluralism in the legislation is that of acknowledging the specificities of the media market. Concessions can be revoked if specific programming schemes, as bases for granting concessions, are not fulfilled. However, there have been no cases of this happening so far, except for warnings³⁷ or fines in the case of breaches of the protection of minors.³⁸ The role of competition law for media freedom and independence is marginal as it aims mostly at establishing fair market competition rules and acts toward forbidden agreements or price agreements.

3.5 Technological developments

New technological possibilities have certainly created a more complex mixture of old and new media. While the Internet penetration level in Croatia was at 4.6% of the population in 2000, in 2010 it was above 50%³⁹ with rapidly rising numbers of broadband users.⁴⁰ This rise in user population was accompanied by the establishment of some new web portals. In 2009, the most popular was the website of the high circulation daily newspaper *24 sata*, with 14.4% of users, followed by purely online news portals *Net.hr* (12.4%) and *Index.hr* (11.8%), *T-portal* by HT (10.9%), the biggest ISP in Croatia, classified ads portal *Njuškalo* (9.1%), and two further high circulation daily newspaper web portals *Jutarnji list* (8%) and *Večernji list* (7.9%).⁴¹ The World Wide Web has therefore created a new news market in which some old players hold high audience reach and also compete with some new purely online portals. The strong ISP and IPTV provider HT also reaches large audiences in content production through its portal. Some members of regulatory bodies in Croatia believe that the media regulatory bodies have met these convergence trends unprepared and are unable to deal with these kinds of market changes: 'It came too fast, everybody has been talking about it for years but they haven't prepared themselves. Perhaps in some countries where there are integrated regulators it was a lesser problem or where there is a longer tradition it was also a lesser problem' (Interviewee B8).

AEM started conducting a register of electronic publications or edited websites and portals which currently includes 121 electronic publications according to its official website.⁴² According to Article 80 of the Electronic Media Act all physical and legal persons must,

contradicts regulations forbidding coordination and agreement between competitors regarding their actions on the market. The decision of the Council is that, by pursuing forbidden agreements on prices of general information dailies, the necessary market mechanism that should encourage publishers to conduct more efficient and profitable business and to ensure better and higher quality press through the quality of content and favourable market price has been removed' (AMCP, 2010a).

³⁷ See AEM (2010b).

³⁸ See AEM (2010c).

³⁹ See Internet world stats (2010).

⁴⁰ According to the CPECA in December 2010 it was at 25.52%, available at: <http://www.hakom.hr/default.aspx?id=60> (date accessed 4 October 2011).

⁴¹ See Popović et al. (2010).

⁴² Not only country domains (.hr) but also some .org and .com domains are registered which makes it unclear as to how they should relate to the regulator. The national body for granting domain names is CARNet and there seems to be a lack of coordination between the AEM and this body.

before the first electronic publication, apply to the register. However this register is based on unclear classification criteria.⁴³ In a recent public discussion ‘Portals and blogs between regulation and censorship’ (Brezak Brkan, 2011), it was highly criticised since, according to Article 66 of the Electronic Media Act, all registered electronic media service providers in Croatia are supposed to provide 0.5% of their total annual gross profit from providing media services to the financing of the AEM. This creates financial problems for non-profit organisations that see the World Wide Web as a new, inexpensive and widely distributed platform for the dissemination of independent ideas.⁴⁴

The digital television switchover was completed by the end of 2010. The VEM grants concessions according to Article 73 of the Electronic Media Act to those media service providers who fulfil specific programme conditions in accordance with the Electronic Media Act. Several national concessions have been awarded for specialised television channels,⁴⁵ including one music channel, one sports channel, financial news channel and two specialised entertainment channels owned by Nova TV and RTL. As a result, the national television broadcasting space has seen a shift towards giving more space to commercial providers. Coupled with recent changes in the public service broadcaster which include cuts in its advertising time, this remodelling changes the market structure for the national television broadcasting space. Some authors see this as a neo-liberal trend in Croatian media policy since apart from two previous public service channels (HRT 1 and HRT 2), which were automatically transferred to digital broadcasting, no new specialised public service channels were established even though the public service broadcaster has a legal right to do so.

New technological possibilities and developments have strengthened the overall positions of existing media operators and foreign investors. This is evident in statistics for most popular websites which are predominantly websites of already existing print media or ISP operators. The digital television switchover has also strengthened the position of existing commercial television stations. However, there are also possibilities of establishing new media, as in cases of purely online news portals.

3.6 State interventions and state influence

The Fund for the Promotion of Pluralism and Diversity of Electronic Media is a form of state subsidy intended to stimulate the production of audio and audiovisual programmes that promote pluralism and media diversity at local and regional levels. The financial means are ensured through a 3% share of the HRT fee. The AMCP (2011: 5) recently reached a decision that the fund users are gaining an economic advantage which may impair market competition. However, they allowed the use of the fund due to the fact that local and regional operators do not have the means to pursue the production of audiovisual programmes of great cultural and public interest. In those circumstances state support has a key role in promoting various aspects of media pluralism and diversity (AMCP, 2011: 6). Some authors emphasise that the fund provides subsidies under non-transparent criteria and that there is no evaluation of the programming schemes after the funding has been secured (Peruško, 2011: 71, 72). The Fund provides financial means for regional and local electronic media in order to diversify the available content for different audiences. However through those actions it also creates dependencies on state funding as the costs for running an electronic medium are often too

⁴³ There are no clear definitions of blogs, portals, profit or non-profit electronic publications.

⁴⁴ See Gabrić (2011).

⁴⁵ Channels which offer 70% of the same programme type according to Article 23, paragraph 3, of the Electronic Media Act.

high for small local media outlets. The Fund is therefore very often the main source of income for these media.

State bodies and legal entities in the territory of the Republic of Croatia are obliged to spend 15% of their service and activity advertising on regional and local radio and/or television according to Article 33, paragraph 1, of the Electronic Media Act. State advertising is a source of great controversy in the recent high level corruption scandals as the indictments claim that advertising from the state and a large number of state and public companies was directed toward a single media company.⁴⁶

A specific form of state intervention was the reduction of the value added tax (VAT) in 2007 from 22% to 10% for all newspapers and magazines with daily and periodical circulation, except for those whose purpose was, for the most part or completely, advertising.⁴⁷ Several media reports at that time covered the statement by the prime minister that this was to ensure a higher standard for Croatian citizens and to make public information more easily available to them.⁴⁸ However, the prices of the printed press remained the same meaning that the difference in tax was beneficial to the media owners. To illustrate the point one interviewee (A 4) states: 'It is very simple, those publishers were then interested to support the government which reduced the tax, meaning that there is no direct influence, no direct link between the publishers and the government, but there is indirect influence through tax policy'.

The HRT is experiencing a drop in audience share while at the same time state aid for radio and television broadcasting was increased from 1 017 million HRK in 2007 to 1 133 million HRK in 2009. This was 29.63% of total state support for all sectors of the economy in that year (AMCP, 2010b). The AMCP determined that the licence fee is also a specific type of state aid since the obligation is imposed by law and can be regarded as a specific type of tax. While state aid was rising the HRT was also spending money under doubtful circumstances. The State Audit Office (2010) determined irregularities with regard to internal controls and internal revisions, planning and accounting operations, incomes, public procurement and advertising discounts for specific clients, among others.

Recent changes to the management structure of the public service broadcaster HRT in the new Croatian Radio and Television Act created a tripartite governance structure which consists of the Supervisory Board, Programme Council and Management Board. According to Article 13 of the Croatian Radio and Television Act, programme schemes and financial means for pursuing them are determined through a five-year contract between the government and the HRT. Following a proposition by the Management Board and after approval by the VEM, the HRT Programme Council presents a detailed programme scheme and submits it for public debate. The VEM monitors the fulfilment of these obligations. The HRT is financed through a licence fee and advertising but according to Article 38, paragraph 2, its public income shall be used for public services as determined by the Croatian Radio and Television Act. Public income cannot be used to finance commercial activities. Article 37 determines that advertising time is limited to nine minutes within the hour and four minutes in prime time between 18.00 and 22.00 hours. Previously, nine minutes of advertising time was allowed regardless of prime time. Therefore, there is a complex mechanism in place which includes a new governance structure, accounting obligations and advertising provisions which are all meant to secure the fulfilment of programme obligations without entering into market competition with commercial providers. Two public service television channels were automatically

⁴⁶ See *Jutarnji list* (2010).

⁴⁷ The Act on Changes in Value Added Tax Act, *OG* 76(07).

⁴⁸ See: Vejnović (2007) or Lider (2007).

transferred to digital broadcasting and the Croatian Radio and Television Act also enables the public service broadcaster to create specialised programmes. According to Article 3 of the Croatian Radio and Television Act, the HRT may establish two specialised programmes at national level. However, according to Article 37, the HRT is not allowed to advertise on specialised television channels.

European Commission (2009) state aid assessment played a crucial part in restructuring the HRT. The final proposition of the Act was sent to the AMCP (2010c) to confirm whether it was aligned with the state aid assessment rules. The parallel changes in the new Electronic Media Act, the digitalisation process and the restructuring of the HRT have substantially changed the media landscape for national television broadcasting. The European Commission state aid assessment led to the establishment of stricter financial control in producing public interest content. It is still too early to tell how the HRT will operate under the new governance structure and how the eventual establishment of specialised programmes will affect the national television broadcasting market and the pursuit of specific public interest goals. However the overall legislative and governance changes seem to indicate a direction toward reducing the dependency of the HRT on advertising revenue and commercial programmes. In a country where political pressures on the HRT were particularly evident in the nineties there are concerns that the new changes will introduce state control once again on the PBS, especially through the contract agreement between the government and HRT on programme schemes.

Brief concluding overview

The influence of the EU on the structure of the media market was significant due to the ongoing negotiation process for Croatian accession. It is evident in the acceptance of democratic values but also in the liberalisation of various markets. The liberalisation creates more dependencies on commercial interests making it increasingly difficult to recognise the public role of the media in representing the citizen's interests. Along with those changes technological innovations have played a considerable role in making the media system increasingly complex. The Web has created a new market for the news media in which online portals compete with portals from print or electronic media. The regulation of this new market is lagging behind. Digital television switchover has increased the media space of existing operators thus strengthening their market position. While commercial and market interests have a high role in the structure of the media market there are different cases where dependency on state funding plays a significant role. The Fund for the Promotion of Pluralism and Diversity of Electronic Media, while giving voice to local and regional media, also creates dependencies on state funding. However, state interventions do not have a clear agenda for promoting pluralism outside the fund. In the case of state advertising, public funds were directed towards a single media company. In the case of VAT reduction for print media, it was transferred into direct economic gain for the publishers. State aid assessment rules played a crucial part in restructuring the HRT which was also undergoing a management crisis coupled with irregularities in financial management. The latest restructuring, among other changes, introduced new management structures, tighter financial control for producing public service content and reduced advertising time in order to remove the public service broadcaster from competing with existing electronic media market players.

The wide-ranging dependency on commercial interests is not followed by media legislation or media policy. While freedom and independence should be seen as increasingly important, they are not fully acknowledged. The legislative framework is perceived as not being coherent, as some members of regulatory bodies explain. The view is that the Media

Act is outdated and it should be improved and updated. Also, when it comes to the media market, three different institutions have a complex set of common tasks in monitoring, regulating or implementing legal measures to correct and moderate the media market. Ownership and concentration regulations are not connected to pressures on editorial freedom. Pluralism provisions also do not have an effect on freedom and independence, since creating more advertising revenue remains the main drive of media institutions in Croatia. Media specific acts target concentration and ownership transparency and have been amended recently. Competition law mostly targets prohibited agreements, joint price increases and the misuse of dominant market position, and has not been modified for the purpose of acknowledging the specificities of the media market. The dynamics of media policy implementation seem to follow strict legal provisions, as in the case of implementing and ensuring fair market competition. Policy formulation also follows EU directives closely in order to ensure the speedy closure of the accession process through transferring the directives into local legislation. In that process, issues of freedom and independence are left behind.

4. Composition and diversification of media content *

The Croatian media policy includes extensive statutory requirements regarding diversity and pluralism of media content in terms of programme types of socio-cultural and political interest, and regarding standards of objectivity and impartiality for information reporting. Diversity and pluralism is linked to media freedom and independence by the precedents of the ECtHR in relation to Article 10 ECHR, where pluralism and diversity of media outlets and media content is a prerequisite for the freedom of expression as the basis for democratic governance and the informed citizenry.

4.1 Legal norms

Three main laws, the Media Act, Electronic Media Act and Croatian Radio and Television Act, define the Croatian media system and these include the values and standards of media content in relation to programme diversity, pluralism of ideas and provisions geared to ensure the objectivity and impartiality of reporting, as well as to protect the independence of journalists from advertisers and political parties. The Access to Information Act has also been adopted in order to facilitate the democratic role of the media, although its impact in this regard is reduced by its insufficient implementation, according to NGOs and opposition parties (Gong, 2011; SDP, 2011). The counterweights to freedom of expression and reporting in the media, namely the right to privacy and the protection of state secrets, are also codified in non-media-specific laws, as well as treated in the self-regulatory codes of journalists. The Penal Code (OG 110/97) and Media Act cover libel and defamation.

Diversity and pluralism are also promoted through public subsidies for programme production of public interest within local radio and television, national and ethnic minority media and non-profit media. System diversity is also increased through the public service broadcaster HRT, which continues to be funded by licence fee and advertising.

4.2 Diversity of opinion and independent reporting

The most generally applicable provisions on freedom of expression and the protection of journalism standards are contained in the Media Act. In addition to issues regarding objectivity and impartiality of reporting (including the protection of sources and the right to conscience), the state is obliged to promote pluralism and diversity through subsidies for the production and publication of public service content. Diversity and pluralism are linked with giving services to specific social groups (national minorities, women and people with disabilities) and types of media (local, non-profit media and non-governmental media). Public service content (as defined in this law) extends to culture and art, education, science, protection of the environment, human health and human rights, as well as the Croatian national and cultural identity.

Rules limiting discrimination and ensuring tolerance in media programmes should also be viewed as supporting diversity and pluralism in the media. Hate speech is forbidden and this is defined to include national or ethnic, racial or religious hatred and intolerance, anti-Semitism, xenophobia and incitement to discrimination or hostility to individuals or groups

* Chapter 4 is written by Zrinjka Peruško.

based on their origin, skin colour, political beliefs, worldviews, social or health status, gender, sexual or other characteristics or persuasions. Promotion of fascist, nationalistic, communist or other totalitarian regimes in the media is also illegal.

The Electronic Media Act defines detailed rules regarding objective and impartial reporting, including the obligation to publish true information, respect human dignity and human rights, and contribute to tolerance of different opinions. Programme content is expected to contribute to the provision of comprehensive and impartial information for the public, and to free public debate, as well as to the education and entertainment of viewers and listeners. News and current affairs reporting must be impartial, commentaries clearly attributed, and differences of opinion on political or economic matters respected.

The public service broadcaster HRT is obliged to inform the public about facts, events and occurrences of public interest in the country and abroad, and to do so continuously, truthfully, fully, impartially and in a timely manner. It must be impartial in covering political, economic, social, health, cultural, educational, scientific, ecological and other matters, and enable different opinions to be equally represented. It should respect and promote pluralism of political, religious and other ideas. Standards of independent journalism must be observed in verifying information for publication, and facts should be separated from opinions.

Public service broadcasters also adopted a self-regulatory measure for independent reporting. The HRT Code of Ethics (1998) includes a section relating to programming principles. The code requires journalists to 'adhere to the demands of the profession – veracity, objectivity, good faith'. They are also required to 'present precise, complete and timely information; to provide the public, with respect to all important matters, with all pertinent points of view, arguments and explanations from various sources, in order that the public may draw their own conclusions and form their own opinions'. Journalists are not allowed to express political preferences or opinions, and editors-in-chief cannot hold any party political office. The dissatisfaction of HTV journalists with the actual independence and professionalism within their organisation has recently resulted in an appeal signed by almost 150 journalists, members of the Croatian Journalists Association (HND), for the adoption of a new code which would ensure that professional norms are truly adhered to (HND, 2011).

The protection of professional journalism standards is also part of self-regulation within the journalistic community. The Croatian Journalists' Association has an Ethics Council composed of respected journalists. The Ethics Council hears complaints and makes non-binding statements regarding breaches of journalism standards. They publish their statements regularly in the press as well as on the association's Internet site (www.hnd.hr). Provisions on journalism ethics are also included in the Code of Honour of Croatian Journalists (HND, 2006), and pertain to all its members (estimated at some two thirds of the journalists in Croatia).

4.3 Programme diversity

The Electronic Media Act applies to commercial television, radio broadcasting and the HRT (which is also regulated by a separate law with more pronounced public service and diversity requirements), and also to electronic publications and audiovisual media services.

In a dual broadcasting system developed in the 1990s, both commercial and public service broadcasting were seen by policy makers as serving a public interest (Peruško Čulek, 1999). They were therefore given cheap access to the frequency spectrum as this was considered to be a public good. To satisfy the public interest, commercial broadcasters have been obliged by law to provide citizens with news and information, including those of interest

to ethnic minorities in Croatia and Croatians living abroad. The public interest is also expressed in the obligation of commercial radio and television stations to broadcast content that is supportive of human rights, political rights, the rule of law and the development of civil society, as well as media literacy.

The last complete overhaul of the Electronic Media Act (adopted in December 2009) introduced the AVMS Directive solutions into domestic legislature. The new version of the Electronic Media Act for the first time deals differently with different types of digitised media programmes and audiovisual or electronic media services. Programme diversity obligations for generalist broadcasters (although reduced) still exist, while specialised channels have no other obligation than to broadcast 70% of the defined theme. This resulted in two specialised thematic digital terrestrial channels devoted to entertainment as their thematic speciality, operated as second channels of the already existing commercial televisions (Nova TV and RTL). This of course warrants a discussion about the role and performance of the Electronic Media Council (VEM) in ensuring diversity in the audiovisual and electronic media sphere. While the full information about other television channels and their programme proposals has not been made public, it is known that at least one domestic channel with a diverse programme mix was also a candidate.

Specific regulations to ensure pluralism and diversity, including news quotas, percentage of domestic production and percentage of programmes broadcast in Croatian, have been significantly relaxed under the new Electronic Media Act. Local and regional level broadcasters now have to broadcast a minimum of 10% of news programmes on a weekly basis, while national and regional level broadcasters have to include only 30 minutes of current affairs programmes in a day. This should include one news programme of at least 20 minutes, unless the programme scheme on which the licence was awarded had a larger share of news. This highlights an old problem of non-enforcement of the media policy regarding content-related rules, especially in relation to programme criteria in the licences for radio and television broadcasting.

Licence holders should also define the share of European content and content by independent producers in their programmes, as well as domestic audiovisual production. Commercial television broadcasters should use at least 20% of their own production in a day, out of which 50% should be between 4 p.m. and 10 p.m. This provision used to favour prime time programming (60% between 6 p.m. to 10 p.m.), and was obviously relaxed in order to benefit the profit motives of the broadcasters (one imported soap opera episode costs US\$5 000, while it costs many times that to produce).

Works of independent European producers must account for at least 10% of programmes broadcast annually. If the broadcasters do not reach these percentages they have to increase the shares every year in a way defined in the Rules of the Electronic Media Council (VEM). No data are available from official sources on compliance of broadcasters. The VEM is charged with defining the implementation of these requirements, and it has done so in the Rules on Criteria and Ways of Increasing the Share of European Independent Producers (VEM, 2010). The rules define who can be considered as an independent European producer. Independent production does not include information, sports and game shows, or advertising programmes. Those audiovisual media services providers with a concession (terrestrial, satellite, cable and Internet) have four years to reach the required 10%.

Non-profit radio and television stations must produce at least 50% of their output, half of which must include public service content (related to the information, educational, professional, scientific, artistic and cultural needs of society) and are limited to three minutes of advertising per hour.

The Croatian Radio and Television Act regulates the programming expectations from the public service broadcaster HRT. Here too, the importance of balanced broadcasting of information, culture, education and entertainment is emphasised. Internal pluralism appears in the context of a pluralism of ideas, that is, pluralism of worldviews, political and religious ideas and interests that have to be presented to the public in an unbiased and respectful way. The law also stresses the special attention that has to be given to specific groups, such as Croatians abroad, national minorities in Croatia, children and youth, and people with disabilities. In addition to these general statements the diversity is ensured through a defined percentage of domestic production, programme output in the Croatian language and specific genres that have to be produced in Croatian (particularly focusing on movies, documentaries, cartoons and entertainment).

The majority of programmes of the public radio and television HRT should be of European origin, and of those at least 40% should be in the Croatian language. The same Croatian production quota applies to music broadcasts. Croatian original production has to include at least 50% of audiovisual works (feature films, documentary, cartoons and entertainment). As well as this, 15% of the yearly budget must be spent on European independent productions, half of which must be originally produced in Croatian.

The quotas for specific programme genres – information, art, culture, education, children, entertainment and sports, at local, regional and national level – are not set, but a balance of them is required. The public service is defined as those programmes which ‘fulfil democratic, social, and cultural needs of the Croatian society, guarantee pluralism, including cultural and linguistic diversity’. Public service programmes are further required to include information programming, dramatic audiovisual and radio production, education, sports and entertainment programmes, and programmes for children, people with disabilities and minorities (Art. 9, NN 137/10). The new law introduced a new mechanism of a programme contract between HRT and the Croatian Government which will define in more detail the public service remit and its price. The contract is to be concluded with the government for five years, after an extensive public debate. The first contract (Privremeni, 2011), valid until January 2013, was concluded with the government without any debate and without adoption by the Programme Council which had defined it as too general and refused to approve it. The contract follows the diversity and pluralism obligations from the Croatian Radio and Television Act. The first report on HRT compliance with its programme contract should have been available in June 2011.

4.4 The policy process and its pressures

In recent years public participation (through conferences and round tables, documents publicly displayed on websites and invited written proposals from the public at large) in legislative proposals is required as part of the introduction of EU standards in policy making applied throughout the changes in media legislation. In spite of this, a discussion of desired public service content in the digital media environment has not truly happened, although two key acts were changed in order to accommodate the technological changes (including the EU AVMS Directive). The degree of impact of civil society organisations and other non-state actors (excluding industry) are, however, not easily discerned (Peruško, 2010). With the discourse centring on issues put forward in relation to commercial media interests, the voices in favour of the public service were not really heard.⁴⁹ An ad hoc Coalition of Commercial

⁴⁹ The Centre for Media and Communication Research of the Faculty of Political Science, University of Zagreb, organised a conference in 2009, with UNESCO support, on the future of public service broadcasting, in order to provide to the policy making and professional audience impartial international data and analyses on the

Media was formed during the public debate on the new Croatian Radio and Television Act in 2010, which concertedly, in their printed and audiovisual editions, provided often false information on the media market and the supposed harm the public service funding was doing the commercial television channels. Like in the 1990s, the recent public debate focused on two main issues, continuing two conflicting views about the future of public service broadcasting. One related to the optimal structure of the HRT for ensuring its institutional independence from political and state interests, and also its editorial freedom. The second view questioned the very need for public service television and radio. This opinion spoke against the licence fee and called for its abolition. Similar opinions called for the HRT to be banned from carrying any advertising whatever. A compromise was reached in reducing the advertising time of the HRT. The trend for reducing the strength of the public service broadcaster is clearly present in the legal changes, while the legal rules on diversity and pluralism do not get reduced. The amount of advertising in the programmes of the public service broadcaster was recently limited thus further weakening its economic independence and in consequence lowering the diversity of content in the audiovisual landscape (Peruško, 2009; Peruško, 2010).

The influence of industry on media policy-making in Croatia is also exerted through their ability to frame policy issues by successfully promoting their own research and data on the media market as the evidentiary basis for policy decisions, as was suspected in the case of the 2010 adoption of the new Croatian Radio Television Act.

The recent process of legislative change showed the influence of the commercial media on the policy process, and their interests were accommodated to a large degree as programme production and content requirements were relaxed in comparison to the previous situation. The corporate interests and influence of commercial media were visible and even publicly shown⁵⁰.

No official data (from the broadcasters themselves or the VEM) are available regarding compliance of media companies with diversity and pluralism requirements. In evaluating the performance of Croatian television channels against the policy defined by public interest and in terms of reflective diversity (van Cuilenburg and McQuail, 2003), Peruško (2009) found a lack in the public service of (especially commercial) television with regard to information and current affairs programmes, and a significantly larger contribution of the public service HRT to genre diversity. Local and regional televisions broadcast more news and current affairs programmes (ranging from some 6% to over 50% of total programming in some television channels), but showed much less fiction, especially soaps and comedy programmes (Lulić, 2010).

A low compliance of commercial televisions with the legal requirements of content regulation shows that they did not provide the expected programme diversity. Their contribution is more positive in news programmes, where they provide welcome source diversity which precludes much political intervention in the editorial processes (Peruško and Čuvalo, 2010).

implementation of the state subsidy provisions of the EU. In spite of the good attendance at the conference, none of its recommendations were taken up. More information is available at: www.cim.fpzg.hr (date accessed 12 December 2011).

⁵⁰ The pressures from the commercial media were publicly shown in the special program on HTV 1, “Budućnost javne televizije” (The future of the public television), 27.10.2010. The group for the design of the proposal on the Croatian Radio Television Act, composed of different stakeholders and experts and formed by the Ministry of Culture, never reached a consensus on this legislative proposal.

4.5 Positive measures encouraging the diversification of media content

Support for minority media and programmes for minorities are included in the media policy and contribute to diversity and pluralism in the media landscape. The public service broadcaster broadcasts one radio and one television programme a week aimed at national and ethnic minorities, and daily programmes in its regional radio stations in the languages of minorities in specific regions (Zgrabljic Rotar, 2011). There are 47 newspapers of national minorities which are subsidised by the government. Subsidies to one remaining state-owned daily newspaper (*Vjesnik*) could perhaps be viewed as increasing diversity if it were not considered to be a government mouthpiece.

Production and broadcasting of public interest programmes in local and regional radio and television channels (but not independent production companies or media NGOs) are subsidised through the Fund for the Promotion of Diversity and Pluralism of Electronic Media.⁵¹ While contributing to pluralism and diversity is the continuing aim, the VEM changes on a yearly basis the actual content which it considers to be in the public interest (the basis for these decisions is not publicly known). The latest decision on the criteria for awarding subsidies (VEM, 2011) gives the highest priority to programmes aimed at improving information for citizens, followed by educational and cultural programmes, cultural heritage and other cultural programmes, and programmes for national minorities, while programmes in Croatian dialects, programmes for children and programmes for promoting equality of the sexes have lower priority. This subsidy aimed at increasing programme diversity ‘has an effect of keeping afloat some 30% of local broadcasters’ (Interviewee A2).

4.6 Competing interests and legal restraints on content diversification

There is no prior restraint in Croatia, and the courts have never adjudicated on this. The 1990s were renowned for disciplining of critical media voices through libel and defamation charges or charges of privacy violation, and during that decade the accusers, mainly members of the ruling political elite, were privileged over the public’s right to know (Peruško, 2003). In 2000 the government was taken over by a coalition of democratic parties led by the social democrats (SDP), who strongly upheld the pluralism normative media theory and the practice of pressuring the media through the courts ceased. The 2007 change in the Penal Code (changed 11 times since 1997) removed the possibility of a prison sentence for libel, which became punishable only by a fine (Topić, 2011). The new Penal Code (passed in October 2011) includes a new possible offence – ‘shaming’ – which refers to publication of facts and information that can be harmful to someone’s reputation, with the defence that information is in the public interest and true (the burden of the accused).

Tension between the right to information and the right to fair trial is especially pronounced in 2011. The investigation and prosecution of corruption in high government has been intense in the last two years or so. The media seems to publish accurate information about ongoing investigations which are secret. Most recently the office of the public prosecutor failed to bring a case against a newspaper to court for printing confidential information (Sloković, 2011) but this issue will certainly be in focus in the next period.

In the digital media arena, the issue of national security came up with regard to a web portal that published the register of Croatian war veterans (Necenzurirano.com, 2010), which had been marked as secret by the government. The perpetrator was never established and the

⁵¹ See Chapter 2.

web page was immediately blocked, but the event promoted discussion on the tension between state secrecy and the public interest concerning the right of the public to know.

Programmes that threaten constitutional order and national security are forbidden. In audiovisual programmes, programmes offending human dignity, especially including immoral or pornographic content, promotion of crime and incitement of youth to use tobacco, drugs or alcohol, are also illegal. Programmes seriously harmful to the development of the 'physical, moral or psychological development of children and youth' are also forbidden. Those that may be harmful in these respects must be scheduled when children are not expected to watch and must be preceded by an adequate warning as well as marked in terms of adequate viewing age.

If the legal requirements for impartiality or prohibited speech are breached, the VEM can intervene by issuing a warning, or it can start a judicial procedure in which the court can fine the broadcaster. According to information published on their website, in 2010 they used their powers of warnings and fines mainly in relation to the protection of minors.⁵² Impartiality is not an issue generally receiving attention by VEM.

The VEM as the domestic regulatory authority in charge of oversight of the electronic media system, including elements of regulation, has the authority to influence the broadcasting of certain content. There is still not enough understanding of the increase in their sphere of responsibility, and their ability to understand new developments and the impact of their actions will be of increased importance in the future diversity and pluralism of the Croatian media system.

The democratisation of the Croatian media system since the 1990s was mainly influenced by the standards of the Council of Europe in the media field and their implementation. The impact of the EU harmonisation process has been twofold. On the one hand the implementation of standards was evaluated through the political criteria, thus contributing to freedom of expression and the media. Other standards, especially the rules on public subsidies related to the funding of public service broadcasting have so far contributed to limiting the independence of the public service broadcaster and increasing the possibility of government pressure on editorial policy.

There were only three media-related cases brought to the ECtHR so far. Regarding the tension between freedom of expression and the protection of reputation the case of Europapress Holding d.o.o. against Croatia brought to ECtHR on the basis of Article 10 ECHR may be mentioned⁵³. In this case the applicant company complained that the domestic courts' decisions had violated its right to freedom of expression. The applicant was however found guilty because it had used unverified statements. The ECtHR found no violation of Article 10 by Croatian courts and thus upheld their judgement.

Regulation of blogs is still a grey area in Croatia. Although the new Electronic Media Act includes the regulation of electronic publications, the issue of blogs and their treatment is still under review by the VEM (Interviewee A2).

⁵² See http://www.e-mediji.hr/rad_agencije/nadzor_programima.php (date accessed 14 September 2011).

⁵³ <http://sim.law.uu.nl/sim/caselaw/Hof.nsf/e4ca7ef017f8c045c1256849004787f5/b1f7a17621d829f1c125765400346e39?OpenDocument> (date accessed 12 December 2011).

Brief concluding overview

The state (the Croatian Government) and the para-statal agencies and bodies, in particular the Electronic Media Agency and its Electronic Media Council, administer policies for free and independent media with respect to content regulation.

The values and standards ensuring the diversity and pluralism of media content are built into the three main laws (the Media Act, the Electronic Media Act and the Croatian Radio and Television Act) that regulate programme diversity, pluralism of ideas and the provisions ensuring the objectivity and impartiality of reporting, as well as the independence of journalists. These and other laws and regulations (e.g., the Access to Information Act, self-regulatory codes and the non-media-specific laws) follow all relevant European Union regulations through the EU harmonisation process, which has twofold impacts. On the one hand the legal harmonisation substantially contributes to freedom of expression and media independence; on the other, it contributes, through the rules on public subsidies related to the funding of public service broadcasting, to limiting the independence of the public service broadcaster and increasing the possibility of government pressure on editorial policy.

The Audiovisual Media Services Directive solutions were introduced into domestic legislature in December 2009 through the new version of the Electronic Media Act, which for the first time deals differently with different types of digitised media programmes and audiovisual or electronic media services. Under this new Electronic Media Act specific regulations to ensure pluralism and diversity, including news quotas, percentage of domestic production and percentage of programmes broadcast in Croatian, have been significantly relaxed in line with commercial media interests. Programme diversity obligations for generalist broadcasters (although reduced) still exist, while specialised channels have no other obligation than to broadcast 70% of the defined theme. Diversity is ensured through a defined percentage of domestic production, programme output in the Croatian language and specific genres that have to be produced in Croatian.

The new Croatian Radio and Television Act regulates the importance of balanced broadcasting of information, culture, education and entertainment. Internal pluralism appears in the context of a pluralism of ideas and world views. A new mechanism has been introduced in the form of a programme contract between the Croatian Radio and Television (HRT) and the Croatian Government, which will define in more detail the public service remit and its price. The HRT continues to be funded by licence fees and advertising.

Diversity and pluralism are also promoted through public subsidies for public interest programmes within local radio and television, national and ethnic minority media and non-profit media. Support for minority media and programmes for minorities are included in the media policy and contribute to diversity and pluralism in the media landscape. Production and broadcasting of public interest programmes in local and regional radio and television channels (but not independent production companies or media NGOs) are subsidised through the Fund for the Promotion of Pluralism and Diversity of Electronic Media, which increases programme diversity and enables the existence of some 30% of local broadcasters.

Civil organisations, as well as political parties, may react to particular issues of content regulation, as they relate to the observance of human rights and general democratic principles. However, they very rarely go for a more systematic approach to media policy, and the degree of their impact is not easily discernible.

Corporate and economic interests may be aggressively promoted through pressures to establish or change some regulations, but they are rarely part of democratic procedures and are negotiated through informal contacts with government or other political and state actors.

Corporate influence on media policy making in Croatia is also exerted through companies' ability to frame policy issues by successfully promoting their own research and data on the media market as the evidentiary basis for policy decisions.

The observance of media content regulations remains selective and only partial. These regulations are not well interconnected to reflect some clearly defined media policy, while their observance is not really seen as an effort to implement media policy. The concept of media policy remains vague, as most of the actors involved in its formulation just pursue some of their own interests, looking for a solution to very particular problems. The holistic approach which is expected from the state remains therefore undefined. The influence of various policy actors on policy formulation and implementation is temporary; it is limited to particular issues and reflects the search for instant solutions to problems.

5. The profession of journalism

The analysis of the journalism profession in Croatia draws on a rather extensive number of sources among which the interviews with journalists conducted in February and March 2011 are perhaps most illustrative of the present state of the art. The sample of interviewees is small (12 journalists), but most editors and policy makers have also commented on the work, quality of journalism and the social position of journalists. The interviewees come from different print, electronic and new media established at both national and local levels. They perform different duties (journalists of different specialisations and experience, editors, heads of professional organisations or branches, journalists' trade union, etc.).

The journalism profession is analysed here on five levels: individual, organisational, professional, institutional and cultural (Berkowitz, 2011: XVIII).

5.1 Individual level (cognitive processing of information; individual autonomy and agency)

This subsection presents the individual positions of journalists interpreted through their working status and possibilities to act in the professional and social surroundings. In Croatia there is a visible difference between the position of journalists who are employed and that of freelancers, as well as between those who work for the public or private services. All agree that the working status essentially influences the individual autonomy and agency of journalists. Those who are fully employed by either public or private media differ according to their specialisations. For instance, a journalist covering foreign policy in a public service feels quite independent and autonomous in his/her work, but admits that the colleagues covering local political and particularly local economic issues are often under pressure from political and economic elites (Interviewee C9). All interviewees admit being exposed to censorship or practising self-censorship. Journalists are well aware of the 'forbidden issues' that should not reach the public (for instance, the work of media magnates). Most blame the editors and editorial boards for censorship and pressure. Editorial autonomy is constantly endangered by the owners of the media, notwithstanding the fact that it is guaranteed by law (the Media Act). In Croatia 'the culture of observing the free access to information' is not developed enough, although it is promoted by the Access to Information Act. This seriously reduces possible individual choice of information to be worked on since 'chiefs arbitrate on the documents to become public' (Interviewee C2). A burning issue is the problem of protection of authorship (Interviewees C1, C4). A theft of texts by other authors is almost common, particularly by the 'strong media companies that just plunder portals and smaller, specialised media' (Interviewee C4). Some media companies (such as Europa Press Holding) deny authors' rights to journalists who already have an employment contract (Interviewee C3). 'The printed newspaper can today be filled in without journalists, which is particularly practised in some small local newspapers' (Interviewee C1). The new media and social media are seen as an area enabling the cognitive processing of information and individual autonomy of journalists. Writing for different portals is often a way of exercising freedom of speech and information for the employed, unemployed and freelance journalists. 'Some journalists write for the portals just out of pleasure to communicate' (Interviewee C2). There are numerous possibilities to study and be trained to improve professionally and these are very much welcomed and seen as professionally and personally important (Interviewee C5). However, some interviewees warn about gaps between education and the realities of journalism work in Croatia (Interviewees C1, C9).

5.2 Organisational level (interaction within media organisations)

The way that individuals – journalists, editors, managers – interact within an organisation largely shapes their work and may also define the organisation itself. The media organisations in Croatia function in rather complex political, economic and technological situations. They have not developed self-regulating instruments (statutes or other acts, such as ethics codices) and there are practically no clear rules of professional behaviour within media organisations, which leaves the journalists on their own. They are often exposed to individual bullying and pressure, while negotiations between media owners and managers and journalists on their duties and working conditions are rare. The small, particularly local, media are generally in a difficult economic situation and openly exposed to outside political and economic pressures. The new media are not professionally organised (Interviewee C3), which increasingly reduces possibilities for investigative and autonomous journalism. ‘Within the editorial boards everyone is scared and everyone fights the others’ (Interviewee C3). From this perspective some well-organised foreign editors may be seen as models: ‘I wish for the established, big media companies to come to Croatia and practise the kind of journalism they promote in their own houses’ (Interviewee C4). On the other hand, what Croatia has are loosely structured media companies invading the post-socialist countries where they introduce media practices that would not have been allowed in their own countries.

Journalists are generally aware of the rules and norms that regulate their activities. Most of them think that their present situation has deteriorated with the processes of privatisation. Since professional and working standards are generally not defined and, if defined, not observed, most interviewees feel that they are in a rather non-transparent and disorganised environment where they cannot really optimise their professional and personal expectations. On the other hand, the journalists’ association hardly meets any of their needs for organised action. ‘I think that HND does not cover the real problems of journalism in Croatia. ... They do not problematise ways in which the Croatian publics are informed ... neither do they insist on getting the right information. ... There is also a problem of manipulation of information via advertisers ... which illustrates the relations between editors and advertisers. The HND has nothing regarding the mixing of journalism and advertising. I am convinced that HND has looked into none of the crucial problems of the Croatian media’ (Interviewee C4).

5.3 Professional level (commonalities among journalists regardless of their medium)

This subsection discusses professional aspects that define journalism regardless of the medium in which it is practiced. Interviewees find that good education is a basis for good journalism. Most of them think that the gap between good professional training and the reality of exercising the profession of journalism is very substantial. There are seven university and high school journalism programmes in Croatia (Interviewee C1), but most trainees and students hope to work in public relations and not as journalists. As the number of university and professional training programmes continually grows, the number of highly educated journalists in the media and professional media organisations is stagnating or diminishing. In Croatia being a journalist does not depend on the level of education – anyone employed as a journalist can exercise the profession notwithstanding his/her type or level of education.⁵⁴ Other professional norms (journalistic autonomy and self-regulating norms, including ethical ones) and the public role of journalists are hardly observed at all. The general quality of

⁵⁴ Out of the 3 047 members of the Croatian Journalists’ Association (HND) 19 hold a PhD, 44 a master’s degree, 1 691 have a bachelor’s degree, 173 have other forms of higher education, 1 233 have a secondary school certificate and 25 have no certified education. See: Popović et al. (2010: 86).

journalism has deteriorated substantially in the last 20 years or so. ‘Moreover, it is conceptually unclear what professionalism we are talking about: there is participative journalism, new forms of journalism, citizens’ journalism, amateurish journalism’ (Interviewee C2).

The most important influence on young journalists is exercised by the media in which they work. ‘What they see in the editorial rooms is most influential’ (Interviewee C2). ‘Professional standards have been going down, and there are no positive paragons. This situation is to be blamed on editors and media owners’ (Interviewee C4). They tolerate and even promote unprofessional work among journalists. There is no good or independent journalism if the editors follow only strictly defined private interests. The opinion that there is no room for professionals and professional media has also been clearly expressed. However, professionalism in the media is highly rated and interpreted as ‘the most essential issue in journalism’ (Interviewee B10). It is also held that: ‘Each professional mistake diminishes your possibility to be independent’ (Interviewee B7). However, the editors and media owners still prefer readiness to obey to professionalism. It also appears that the professional standpoints are not supported by professional organisations and journalists’ associations. These tend rather to discuss ethical issues and pressures on journalists and try to protect journalists when endangered while exercising their profession.⁵⁵ In the Croatian media space the investigating journalists who wrote about political corruption and economic criminality have been explicitly endangered, or even killed, during the last decade. Freedom, security and autonomy for journalists are guaranteed by law but not observed in practice, while this issue is not very high on the national democratic agenda.

5.4 Institutional level

The institutional level is based on the interpretation of the media as institutions that reflect different ownership arrangements, different interpretations of values (including press freedom), have different missions and function in different ways. In this respect the positions of journalists in Croatia are institutionally different. In the public service broadcasters journalists have collective agreements that quite precisely define their working arrangements and rights. ‘We have a very good collective agreement, and my working conditions are indeed excellent, which also provides for a good cooperation with colleagues and adequate technological equipment. ... Yes, I am a member of HND and the Journalists Trade Union’ (Interviewee C9). In the privately owned media the treatment of journalists’ working rights is less transparent and usually worse regarding working obligations and security of employment. The largest media that hold about 65-70% market share in Croatia do have collective agreements with journalists, while the local media rarely have any. That is why the trade union is trying to achieve the establishment of a national collective agreement that would cover all journalists in Croatia. Slovenia, for instance, has such an agreement at the national level. ‘It is ever more difficult to work as a journalist if you are not linked to the editorial office. You may be a freelancer only if you are forced to take such a position. The problem is that those working within some big media do not have an agreement and they work indeed as a kind of freelancer. This is a “covert employment” and when it is discovered journalists go to court and they usually win their case’ (Interviewee C1). ‘The working conditions are ever worse, and although the autonomy of editors is protected by law, they are not free to decide

⁵⁵ HND’s Convention of Investigative Journalists published in 2008 the *White Book: Chronicles of Threats and Assaults on Journalists 1992-2008* containing data on more than 40 assaults on journalists. The second edition of the book, that covers the 1990-2011 period, has been promoted on 29 March 2011 to publicly present documentation on 70 cases of assaults on journalists in Croatia.

on the employment conditions, which are regulated by the owners exclusively' (Interviewee C2).

The biggest problem is that in regulating the working conditions of the journalists there are no partners with whom to negotiate. "The trade union has no interlocutors. There is an independent association of media owners, but it is absolutely not interested in negotiating with the trade union" (Interviewee C3). They prefer the situation in which they control the media through pressures and mutual (illegal) arrangements. The state ministries that represent the government are not entitled to conduct any kind of negotiations, while the local and city authorities who often own local media do not regulate working conditions either. 'The situation is crazy; they should all step out of the media ...' (Interviewee C3).

'I think that the international companies (EPH, Styria or WAZ) do not even try to operate in their countries the way they work in Croatia. They do not respect any regulations, be these ethical or financial' (Interviewee B10). On the other hand, Croatian regulations are not enforced at the national level; everything is being regulated as a 'specific case' depending on power relations and possibilities to negotiate.

The diversity of news sources is much influenced by the institutional aspects of journalism. The national news agency HINA is used less and less as a reliable source as most journalists and media organisations turn to international sources in news reporting. National and local issues are still focused on in the news, but such reporting is increasingly adapted to international standards and approaches, particularly when the news are imbued with scandals – 'hot' and 'spicy' issues. Technological developments have affected newsgathering processes by making the news quicker, more direct, often unedited, but also manipulated by political and economic interests of the 'strong' national players, all of which reduces trust in news and in the profession of journalism.

All this clearly shows that the institutional level does not provide for the possibility to define more precisely the position of journalists. Working and professional conditions are the subject of perpetual negotiations with almost invisible owners and largely inaccessible media managers. The media are not quite established as (independent) institutions and their performance and responsibilities are blurred, which is clearly seen in the rather undefined and fluid professional position of journalists. 'The journalists would probably work better if media houses had a rather clear media policy' (Interviewee B13). The general context in which the journalism profession is exercised is reflected in the fall of professional standards and the lack of professional contacts among journalists, media owners and managers and the state administration in charge of regulatory aspects of the institutions' functioning.

5.5 Cultural level

The cultural level, interpreted as the ways to match systems of beliefs and meanings, is closely connected to the education and professional level of journalists, but also to the character of the media, both printed and electronic, and to the consumption of the media content and programmes. The values promoted in this respect are freedom of expression, cultural diversity, plurality, openness to multiple global influences (cultural and technological) and the strengthening of local cultural and media productions expressing local specificities and identities. The cultural level enables the various media and cultural functions to support the democratic and plural character of society. It raises tolerance enabling the media to inform their audiences of different political options, to structure communication and to support cultural creativity in order to promote overall social innovation, plurality of views,

ideas and space for their exchange. In this respect the role of journalists is essential, as they should be able to widen and focus communication at all levels.

Journalistic practice in Croatia is very much exposed to 'new journalism' tendencies and influences that involve strong technological impacts as reflected in new writing techniques, functioning in a network with fragmented audiences and texts delivered at great speed that are open and iterative (Fenton, 2010: 6). Speed and space, multiplicity and polycentrality, interactivity and participation have created a new brand of journalism (Deuze, 1999) that is increasingly followed in Croatia, notwithstanding all other issues and problems of media development and transformation or of media policy. The journalism profession and technology of work are being changed, although through provision of diversity of views public discourse is becoming 'largely homogeneous' (Fenton, 2010: 10). Investigative and independent journalism which is supposed to support the public interest is indeed endangered by the 'symptoms of the covert cartels' (Pavelić, 2011: 3), that is, by illegal control of content and information through arrangements among media owners. The owners are powerful enough to exercise pressures on journalists and editors and thus shape any published information, i.e. define the 'truth' offered to publics. The professional and social aspects of journalism are simply not discussed in the media and these even avoid informing the public about the strikes in the media organisations (*Glas Istre*, *Novi list* in 2010; *Večernji list* in 2011, etc.).

The decline in readers and viewers is linked to the quality of media content and therefore to the quality of the journalism profession, but also to the fast growth of the number of media, both printed and electronic. 'The Croatian public reacts by stopping buying newspapers (if we are talking about the printed press) or stops watching or listening to the electronic media; judging by the fall in purchase of the printed press I may conclude that this public is not satisfied' (Interviewee A4). Eventual criticisms of the quality of either printed or electronic media are directed to the editors and owners of the media. 'We have editors who insist on not citing the sources of information'; and, 'I would like to see the major media houses operating in Croatia to establish the independent, powerful editions and strong portals that would promote a quality and free journalism' (Interviewee C4). In any case, the quality of the content published may be freely judged, but the results of such public judgments are only traced through attitudes of consumers and seen in losses of market share.

As employment possibilities for journalists have grown, their working conditions have worsened. Those employed work with more products, deadlines and across more media, which also reflects media convergence processes. Fighting to survive in the relatively small Croatian market demonstrates how market logic prevails over professional logic or, in the rare cases where professional logic is respected, journalistic production becomes relatively uncompetitive.

The ethical behaviour of journalists is increasingly constrained and limited. Their autonomy depends on the balance between economic and ethical demands, and in most high-selling newspapers and electronic media there is little space for independent ethical reflection, namely for the practice of journalistic freedom. The new media (on the Internet) may provide for increased transparency and, perhaps, for greater accountability of journalists. However, this has not been researched. It is to be hoped that the observance of ethical standards in journalism may be supported by wider structural reforms (Benson, 2010: 187) of society and the media.

Many journalists and journalists' associations think that the widening and improvement of self-regulation might change attitudes and increase production of ethical and responsible media content. Self-regulation should be of interest to both private and public

media services, but it is generally rejected in an atmosphere of insecurity and fast technological transformation of the media. As the new way of working and new journalism specialisations spread and working conditions worsen or are more demanding, the journalists' trade union is trying to protect the established working rights of its members. The journalists' strikes have not succeeded in changing working conditions and the journalists have to adapt to the new types of journalism work and to an increased insecurity, which is also a sign of inclusion in global journalism trends.

The social and professional positions of journalists in Croatia might reflect the attempt to follow the pluralist model which 'emphasizes ideological diversity, popular inclusion, citizen empowerment and mobilization, and full expression through a range of communicative styles' (Benson, 2010: 194). However, due to the transitional character of Croatian society, difficult implementation of democratic practices and low standards of culture of communication, such a model appears to be idealistic and difficult to follow. This is particularly evident in the insecure position of journalists and their difficult working and professional conditions.

6. Media literacy and transparency requirements

Encouraging media literacy is expressly regulated by Article 5 of the Media Act. The media literacy initiatives have recently been discussed within education policies and particularly in relation to children (Šikić, 2011; Zgrabljic Rotar, 2006) or lifelong education of adults. Initiatives regarding media literacy and education have not evolved to become a part of formalised education programmes. However, the mother tongue teachers may include lessons on media literacy within the subject of Croatian language and literature if they wish. The media literacy programmes are mostly promoted through informal education and training programmes by market oriented educational services dealing with new technologies and direct usage of computers. Such programmes are rarely meant to increase informed choices about the media services or improve media transparency. They are mostly subject to individual choices and the willingness of adults (particularly parents) to invest in education that provides the abilities to use new technologies and thus enter the world of new types of communication. It would therefore be hard to claim that the media literacy initiatives are directly connected to the proclaimed values, such as freedom of expression or the right to be informed, although they certainly increase the ability to practise such values and become conscious of their significance.

The fact that media literacy is predominantly connected with private initiatives is reflected in the situation described as follows: ‘Most people use the Internet at home, and very rarely in schools or at work places, which is directly opposite to the situation in other countries. We could now speculate about the reasons, but [such use] is most probably not caused by the fact that (particularly in public enterprises, administrative organs, but also in some research and educational organisations) access to some information services (e.g., social networks) is denied, but [it is caused by] the fact that our companies, various ministries, agencies, offices, etc., hold that the use of information from the Net does not contribute an additional value, better organisation of work, increase of productivity, and so on’ (Interviewee C8). Following this judgment, media literacy should become part of national development strategy (if and when it is formulated) or at least an issue of wide public concern. In any case, concerns regarding media literacy should come before private attitudes and standpoints and be introduced into formal educational programmes for both children and adults.

There are also examples of public organisations involved in media literacy education. The Faculty of Political Science at Zagreb University has started a number of projects, particularly schools for permanent education in the area of new media, online journalism and online business. These are organised by the Institute for New Media and Electronic Democracy (InMed). Their mandate includes the organisation of international conferences (e.g., on information technology and journalism) and research into online media and journalism (Interviewee C8).

Media literacy debates (Zgrabljic Rotar, 2007) have been introduced through the influence of international organisations (particularly UNESCO) but they are not connected enough with the functioning of the media system. Nevertheless, a number of media services and media organisations ‘publish messages enabling us to learn about democracy and topical relationships in this state’ (Interviewee B13).

Media literacy initiatives are evaluated mostly by the funding organisations that may be willing to invest in the informal education of either children or adults. The outcome of such evaluations is usually decisions on whether to help the financing of these activities.

Media operators rarely pay attention to initiatives to promote or practise media literacy. These are usually seen as a result of individual choice or judgment, even when the programmes of media literacy are practised within schools as additional or ‘free’ programmes

of education. Enabling citizens to make informed choices about the media services they use is completely individualised and depends upon either political or esthetical individual preferences. Of course, such choices are the result of certain types of communication, direct or mediated, and often depend on advertising of media services and their presence in the market.

Media literacy initiatives and transparency requirements are not clearly linked. The public reacts mostly on the basis of feelings about the truthfulness of information that is part of an overall judgment about the media services they are accustomed to. The development of the media literacy initiatives may help to change attitudes to the media and should therefore be supported.

7. Conclusion

A rapid increase in the number of actors influencing media policy formulation and implementation reflects the democratisation processes in the country and the fact that these processes have not stabilised enough yet to demonstrate a well-established democratic system. In such a context the social role of the media is not transparent enough, while their functioning and coordination of their activities remain a difficult task. The media policy is expected to provide for a clearly outlined framework enabling the definition of the social role of the media and their overall democratic impact. This is complicated due to the fact that the interests, actions and initiatives of actors designing and implementing the media policy remain uncoordinated; reflect their immediate temporary goals, and fairly often their professional inadequacy. The general public context is not very structured and it is still influenced by the problems of transition, overall social and economic reorganisation, political democratisation and the search for new developmental solutions and social values that are relevant to the pluralistic and diversified population of the newly independent state of Croatia.

The state, general EU influences and new technologies and technological influences have an important bearing on the configuration of media policy in Croatia and on faster and more open processes of communication.

The government enjoys autonomy in shaping media policy. Even if the state is the strongest factor influencing the formulation of media policy, the government decisions fluctuate among different interests which have been clearly visible within the processes of privatisation of the media. The government is exposed to public and market tensions, both domestic and foreign, which is reflected in standpoints and decisions that frame media policy. These may change quickly and be submitted to very particular and short-term interests. In the legislative sphere, the government adheres mostly to EU influences and is putting serious effort into following policy convergence processes. The state also strongly influences the technological and infrastructural equipment of the media in general and the public media in particular, which is seen for instance in the digitalisation of the electronic media.

Media corporate interests are concentrated around the market share and market regulation initiatives. Such interests are increasingly reflected in media regulations. The journalists' trade unions are not strong enough to protect the economic and professional interests of media employees. This has been clearly visible in the strikes organised in recent years and the fact that they have not shaken the media owners nor brought new regulations or self-regulations which provide more secure positions for employees. Civil society organisations are weak and rarely react to media problems. Sometimes they may stand for freedom of expression or other aspects relating to the observance of human rights and similar values but they are silenced by the fact that such values are formally proclaimed through the media regulatory instruments. Litigation processes are comparatively rare, and the influence of the courts is marginal in designing media policy.

The role of the EU has been particularly visible and positive in the development and enforcement of the media regulations and laws. The EU influences have nevertheless had some controversial effects: while promoting new values they have enhanced the directive role of the state, which may marginalise the roles of civil society and citizens in media policy. The process of Europeanisation remains, however, very closely related to democratisation and the enhancement of the role of the media in social life. European values are increasingly implanted in media practices, while the consumption of media grows, and media influences on public and individual life styles are visible. The influence of the Council of Europe is not so clearly discerned, and it is mostly related to human rights values and cultural identification values represented through the media.

The major turning points in the formation and implementation of media policy in Croatia are closely linked to the recent history of the country. As Croatia gained independence, the 1990s were marked by the representative role of the media promoting nationalist and identity issues and by submission of the media to open political pressures, particularly emphasised by the war and state building processes. In the first decade of the twenty-first century, various media and telecommunications markets have been liberalised and privatised, the new regulatory and legal mechanisms have been designed and the influence of the new commercial providers has been growing, while public services have declined. Global influences and the import of media programmes have constantly increased, while local media have been fighting for survival. Although the legal and normative instruments regulating the media have expanded, they were not coordinated enough to develop into a functional or well-balanced media system. At present, media policy development and consolidation of media markets are increasingly of public concern, while public participation in media policy issues has been more clearly linked to the positions of various actors interested in the functioning of the media. This now provides a background to the democratic participation of diversified audiences in media consumption and media programmes. Such participation may not be structured enough, but it seems to be on the rise.

The policy instruments that have particularly supported media freedom and independence are the laws and regulations promoting and protecting values such as human rights, freedom of expression, diversity and plurality of the media, and suchlike. These need to gain more ground among different layers of the Croatian population if the democratic role of the media is to be defined, understood and practised. The fact that the laws and regulations are not fully enforced testifies to the gap between the media development realities and practices on the one hand and the normative political sphere on the other. Such gap hinders democratic participation of citizens in the processes of communication and media functioning.

The Croatian media policy promotes the protection and promotion of the media's freedom and independence in the normative sphere. In this respect new laws and regulations have an important bearing on the configuration of media policy. While the democratic role of the media and media freedom and independence have been checked against the role of the state and political parties, the influence of commercial interests and market pressures on media independence has remained less transparent.

The priorities of the current media policy reflect the need to better manage public services, provide for more functional regulations of the media market and generally enforce observance of laws and regulations. They also include the need to increase the professional and technological standards of the media and improve the functioning of public services. In order to achieve this much better links among actors and an increased functional coordination of their activities is needed. The effort to interlink activities and create functional networks would be welcome and should be promoted by media policy in order to lay the foundations for an innovated public sphere, open to both private and public media, which might stimulate democratic approaches to the many and various Croatian society problems.

8. References

AEM (2010a), 'Izvješće Hrvatskom saboru o radu Vijeća za elektroničke medije u razdoblju od 1. siječnja 2009. do 31. prosinca 2009' [Report to the Croatian Parliament on the work of the Electronic Media Council in the period from 1 January 2009 until 31 December 2009], Zagreb, September 2010, available at: http://www.e-mediji.hr/files/izvjesca/Izvijesce_o_radu_2009_368.pdf (date accessed 6 July 2011)

AEM (2010b), 'Zapisnik s 07-10 sjednice Vijeća za elektroničke medije, održane dana 18. veljače 2010' [Record of the 07-10 session of the Council for Electronic Media, held on 18 February 2010], Zagreb, 12 February, available at: http://www.e-mediji.hr/files/sjednice/Zapisnik_07-10_252.pdf (date accessed 24 August 2011)

AEM (2010c), 'Zapisnik s 19-10 sjednice Vijeća za elektroničke medije, održane dana 23. travnja 2010' [Record of the 19-10 session of the , held on 23 April 2010], Zagreb, 26 April 2010, available at: http://www.e-mediji.hr/files/sjednice/Zapisnik_19-10_294.pdf (date accessed 24 August 2011)

AMCP (2004), 'Rješenje Agencije za zaštitu tržišnog natjecanja' [Decision by the Agency for Market Competition Protection], OG 111(04)

AMCP (2010a), 'AZTN protiv nakladnika općeinformativnih dnevnika' [AMCP against general information daily papers], Zagreb, 25 March 2010, available at: <http://www.aztn.hr/uploads/documents/odluke/TN/UPI-030-022008-01072.pdf> (date accessed 11 June 2011)

AMCP (2010b), 'Državne potpore – godišnje izvješće za 2009 godinu' [State supports – yearly report for 2009], 6 December 2010 press conference, available at: http://www.aztn.hr/uploads/documents/brosure/prezentacija_DP_2009.pdf (date accessed 11 June 2011)

AMCP (2010c), 'Prethodno obvezujuće mišljenje, Ministarstvo kulture: nacrt konačnog prijedloga zakona o Hrvatskoj radioteleviziji' [Preliminary binding opinion, Ministry of Culture: Croatian Radiotelevision Act final proposition draft], Zagreb, 21 October 2010, available at: <http://www.aztn.hr/uploads/documents/odluke/DP/430-012009-00001.pdf> (date accessed 11 June 2011)

AMCP (2010d), 'Rješenje o zabranjenom sporazumu - Agencija za zaštitu tržišnog natjecanja protiv Europapress Holding d.o.o., Zagreb i NCL Media Grupa d.o.o., Zagreb' [Decision on forbidden agreement – Agency for Market Competition Protection against Europapress Holding d.o.o., Zagreb and NCL Media Grupa d.o.o., Zagreb], Zagreb, 16 December 2010, available at: <http://www.aztn.hr/uploads/documents/odluke/TN/UPI-030-022010-01027.pdf> (date accessed 11 June 2010)

AMCP (2011), 'Rješenje o odobrenju potpore - Prijedlog Programa dodjele sredstava Fonda za poticanje pluralizma i raznovrsnosti elektroničkih medija' [Decision on support approval – Proposition of the programme for the allocation of means for the fund for the promotion of pluralism and diversity of electronic media], Zagreb, 19 May 2011, available at: <http://www.aztn.hr/uploads/documents/odluke/DP/UPI-430-012011-101001.pdf> (date accessed 11 June 2011)

- Anagnostou, D., R. Craufurd Smith, and E. Psychogiopoulou (2010), 'The formation and implementation of national media policies in Europe and their relationship to democratic society and media freedom and independence: A theoretical and analytical frame for the MEDIADEM project', available at: <http://www.mediadem.eliamep.gr/wp-content/uploads/2010/05/theoretical-report.pdf> (date accessed 14 September 2011)
- Benson, R. (2010), 'Futures of the news: International considerations and further reflections', in N. Fenton, *New media, old news. Journalism & democracy in the digital age* (Sage Publications Inc)
- Berkowitz, D.A. (ed.) (2011), *Cultural meanings of news. A text-reader* (Sage Publications Inc)
- Bilić, P. and P. Švob-Đokić (2012), 'Croatia: A dynamic evolvement of media policy' in E. Psychogiopoulou (ed.), *Understanding media policies: A European perspective* (forthcoming)
- Brezak Brkan, I. (2011), 'Portali i blogovi između regulacije i cenzure' [Portals and blogs between regulation and censorship], H-ALTER, 16 February 2011, available at: <http://www.h-alter.org/vijesti/mediji/portali-i-blogovi-izmedju-regulative-i-cenzure2/print:true> (date accessed 11 June 2011)
- Cerovac, M. (2007a), 'Pluralizam medija u državama članicama Europske Unije – prikaz novog dokumenta Europske komisije' [Media pluralism in EU member states – review of the new European Commission document], *Hrvatska pravna revija* 9, available at: http://www.aztn.hr/uploads/documents/o_nama/strucni_clanci/mladen_cerovac/2_mc.pdf (date accessed 11 June 2011)
- Cerovac, M. (2007b), 'Zaštita tržišnog natjecanja u medijima: kritički osvrt na hrvatske propise o medijima' [Market competition protection in the media: a critical overview of Croatian media regulation], *Hrvatska pravna revija* 7-8, available at: http://www.aztn.hr/uploads/documents/o_nama/strucni_clanci/mladen_cerovac/3_mc.pdf (date accessed 11 June 2011)
- Danas.net.hr (2011) 'Vipnet preuzima B.bet za 93 milijuna eura' [Vipnet takes over B.net for 93 million euros], 8 June 2011, available at: <http://danas.net.hr/novac/page/2011/06/08/0472006.html> (date accessed 11 June 2011)
- Deuze, M. (1999), 'Journalism and the web: an analysis of skills and standards in an online environment', *Gazette*, 61 (5), 373-90
- Dolowitz, D. and Marsh, D. (2000), 'Learning from abroad: the role of policy transfer in contemporary policy making', *Governance*, 13 (1)
- European Audiovisual Observatory (2010), *Television in 36 European states*, Yearbook 2010, Film, Television and Video in Europe, Vol.1
- European Commission (1989), Council Directive of 3 October 1989 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the pursuit of television broadcasting activities (89/522/EEC)
- European Commission (2007a), Directive 2007/65/EC of the European Parliament and of the Council of 11 December 2007 amending Council Directive 89/552/EEC on the coordination of certain provisions laid down by law, regulation or administrative action in member states concerning the pursuit of television broadcasting activities
- European Commission (2007b), 'Commission staff working document – Media pluralism in the Member States of the European Union, Brussels', 16 January 2007, SEC (2007) 32

- European Commission (2009) *Communication on the application of state aid rules to public service broadcasting*, OJ C 257, 27/10/2009, p. 1
- European Commission (2010), 'Commission staff working document – Croatia 2010 Progress Report, Brussels', 9 November 2010, SEC(2010) 1326
- Fenton, N. (2010), Ed. *New media, old News. Journalism and democracy in the digital age* (Sage Publications Inc)
- Gabrić, T. (2011), 'AEM započinje žetvu među portalima' [AEM starts webportals harvest], H-ALTER, 27 April 2011, available at: <http://www.h-alter.org/vijesti/mediji/aem-zapocinje-zetvu-medju-portalima> (date accessed 11 June 2011)
- Gong (2011), 'Ukidanje izmjena Zakona o pravu na pristup informacijama posljednja je prilika da vladajući nešto naprave kako treba' [Abolition of amendments to the Access to Information Act is the last chance for government to do something well], available at: <http://www.gong.hr/news.aspx?newsID=3493&pageID=1> (date accessed 14 September 2011)
- Hjarvard, S. (2008), 'The mediatization of society. A theory of the media as agents of social and cultural change', *Nordicom Review* 29 (2008) 2, pp. 105-134
- HND (2006), 'Kodeks časti hrvatskih novinara' [Code of honour of croatian journalists], HND, available at: www.hnd.hr (date accessed 4 October 2011)
- HND (2011), 'Inicijativa novinara za povratak ugleda HTV-A' [The initiative to restore journalists' reputation], available at: <http://www.hnd.hr/hr/homepage/priopcenje/64195> (date accessed 11 September 2011)
- HND (2011), *White book: chronicles of threats and assaults on journalists 1992-2008; White book: chronicles of threats and assaults on journalists 1990-2011*, (Zagreb: Croatian Journalists' Association)
- HRT (2011), 'Iz Nacionala otišlo 30-ak radnika' [Around 30 workers left Nacional], 16 May 2011, available at: [http://www.hrt.hr/index.php?id=48&tx_ttnews\[tt_news\]=116241&cHash=760856bcb4](http://www.hrt.hr/index.php?id=48&tx_ttnews[tt_news]=116241&cHash=760856bcb4) (date accessed 11 June 2011)
- Inicijativa novinara za povratak ugleda HTV-A [The initiative to restore journalists' reputation], 2011, <http://www.hnd.hr/hr/homepage/priopcenje/64195> (accessed on 11 September 2011)
- Internet world stats (2010), 'Croatia – Internet usage stats and market report', 2 July 2010, available at: <http://www.internetworldstats.com/eu/hr.htm> (date accessed 11 June 2011)
- Jutarnji list* (2010), 'Afera Fimi Media: Tajni sastanci utroje, laži i najmeštanja' [Fimi Media affair – secret meetings in three, lies and set-ups], 11 August 2010, available at: <http://www.jutarnji.hr/fimi-media/876743/> (date accessed 11 June 2011)
- Krotz, F. (2007), *Mediatisierung: Fallstudien zum Wandel von Kommunikation* (Wiesbaden: VS Verlag)
- Lider (2007), 'Smanjiti PDV na tiskovine na 10 posto' [Reducing VAT on press to 10 percent], 28 June 2007, available at: <http://www.liderpress.hr/Default.aspx?sid=21474> (date accessed 11 June 2011)
- Lulić, A. (2010) *Programska raznolikost na lokalnim i regionalnim televizijama u Hrvatskoj. (Content diversity on local and regional televisions in Croatia)* Unpublished master's thesis, Fakultet političkih znanosti, Sveučilište u Zagrebu.

Mitrović, K. (2011), 'Nikad jasnija sprega medija, politike i novca' [Never more clear alliance among the media, politics and money], T-portal, 6 September 2011, available at: <http://www.tportal.hr/vijesti/hrvatska/146943/Nikad-jasnija-sprega-medija-politike-i-novca.html> (date accessed 14 September 2011)

Necenzurirano.com (2010), 'Objavljen registar branitelja' [The register of veterans Published], 6 April 2010 http://www.necenzurirano.com/index.php?option=com_content&task=view&id=1816&Itemid=1 (date accessed 14 September 2011)

Novokmet, O.I. (2011a), 'Agencija za elektroničke medije zbog Agrokora zaprijetila RTL-u' [Electronic media agency threatens RTL because of Agrokora], T-portal, 30 March 2011, available at: <http://www.tportal.hr/biznis/gospodarstvo/119457/Agencija-za-elektronicke-medije-zbog-Agrokora-zaprijetila-RTL-u.html> (date accessed 23 August 2011)

Novokmet, O.I. (2011b), 'Todorić i Tedeschi izlaze iz RTL-a, ali ostaju nadzirati' [Todorić and Tedeschi leaving RTL but staying to supervise], T-portal, 25 July 2011, available at: <http://www.tportal.hr/biznis/gospodarstvo/140207/Todoric-i-Tedeschi-izlaze-iz-RTL-a-ali-ostaju-nadzirati.html> (date accessed 22 August 2011)

O.I.N. (2011), 'Hrvačića još zanima Radio 101' [Hrvačić is still interested in the Radio 101], T-portal, 6 September 2011, available at: <http://www.tportal.hr/biznis/gospodarstvo/146887/Hrvacica-jos-zanima-Radio-101.html> (date accessed 14 September 2011)

Pavelić, B. (2011), 'O svemu brbljaju samo o novinarstvu šute' [They talk about anything, but are silent about journalism], *Novi list*, Pogled, 26 March 2011, p.3

Penal Code [Kazneni zakon], OG 110/97

Peruško Čulek, Z. (1999), *Demokracija i mediji* [Democracy and the media] (Zagreb: Barbat)

Peruško, Z. (2003), 'Croatia: The first ten years', in D. Paletz and K. Jakubowitz (eds), *Business as usual* (Hampton Press), pp. 111-145

Peruško, Z. (2005), "Croatia", in: *Television across Europe: Regulation, policy and independence* (EUMAP&NMP: Budapest)

Peruško, Z. (2009), 'Public interest and television performance in Croatia', *Medijska istraživanja*. Vol. 15, No. 2, pp. 5-31

Peruško, Z. (2010), *Assessment of media development in Croatia based on the UNESCO media development indicators* (Paris: IPDC, UNESCO), 50 pp., available at: www.cim.fpzg.hr (date accessed 12 September 2011)

Peruško, Z. (2011), 'Kategorija 2: Pluralizam i raznolikost medija' [Category 2. Media diversity and pluralism], in Z. Peruško et al., *Hrvatski medijski sustav prema UNESCO-ovim indikatorima medijskog razvoja* [Croatian media system according to the UNESCO media development indicators] (Zagreb: Biblioteka Politička misao)

Peruško, Z. and A. Čuvalo (2010), 'Trendovi žanrovske raznolikosti na hrvatskim televizijama 1959-2009. [Trends of genre diversity on Croatian televisions 1959-2009] in *Zakon o HRT-u – Sumrak domaćeg programa*. Društvo hrvatskih filmskih redatelja, HRUP, HUNTVP, HND, 23 April 2010

Peruško, Z. and H. Popović (2008), 'From transmission to the public good: Media policy for the digital age in Croatia', in M. Sükösd, and A. Isanović (eds), *Public service television in*

the digital age: Strategies and opportunities in five South- East European countries (Sarajevo: Mediacentar)

Peruško, Z., T. Perišin, M. Topić, G. Vilović and N. Zgrabljic Rotar (2011), *Hrvatski medijski sustav prema UNESCO-ovim indikatorima medijskog razvoja [Croatian media system according to the UNESCO media development indicators]* (Zagreb: Biblioteka Hrvatska politologija)

Popović, H., P. Bilić, T. Jelić, and N. Švob-Đokić (2010), 'The case of Croatia, Background information report: Media policies and regulatory practices in a selected set of European countries, the EU and the Council of Europe', MEDIADDEM, available at: <http://www.mediadem.eliamep.gr/wp-content/uploads/2010/05/BIR.pdf>

Poslovnipuls (2010), 'Ugrožena poštena tržišna utakmica: Novi vlasnik Nacionala je povezan s EPH-om!?' [Fair market race endangered: New Nacional owner connected with EPH!?], 23 December 2010, available at: <http://www.poslovnipuls.com/2010/12/23/nacional-eph-waz/> (date accessed 11 June 2011)

'Prijedlog kaznenog zakona' [The Penal Code proposal] (2011), Vlada Republike Hrvatske, srpanj 2011, available at: <http://www.mprh.hr/izrada-nacrta-novog-kz-a> (date accessed 14 September 2011)

'Privremeni ugovor između Hrvatske radiotelevizije i Vlade Republike Hrvatske za razdoblje do 1. siječnja 2013' [A temporary proposal for a contract between the Croatian Radiotelevision and the government of the Republic of Croatia for the period until 1 January 2013], available at: http://hrt.hr/uploads/media/Privremeni_ugovor_HRT-a_i_Vlade_RH.pdf (date accessed 14 September 2011)

'Prva regionalna konferencija nezavisnih i neprofitnih medija u organizaciji H-Altera!' [The first regional conference of the independent and non-profit media organised by H-Altera!], available at: <http://www.h-alter.org/vijesti> (date accessed June 2011)

PZE 586(1) 'Final proposal of the Law on Croatian Radio and Television', 11 November 2010, available at: <http://www.sabor.hr/fgs.axd?id=16748> (date accessed 14 September 2011)

SDP (2011), 'Zakon o pravu na pristup informacijama se opet donosi samo iz formalnih razloga' [The Access to Information Act accepted again due to formal reasons], 19 May 2011, available at: <http://www.sdp.hr/klub-zastupnika/vijesti/2011/05/zakon-o-pravu-na-pristup-informacijama-se-opet-donosi-samo-iz-formalnih-razloga> (date accessed 14 September 2011)

Simonović, G. (2011), 'Sumnjivi vlasnici hrvatskih medija' [Suspicious owners of Croatian media], *Deutsche Welle*, 15 June 2011, available at: <http://www.dw-world.de/dw/article/0,,15156064,00.html> (date accessed 6 July 2011)

Sloković, J. (2011), in *Hrvatska uživo* [Croatia Live], HTV 1, 13 September 2011

State Audit Office [Državni ured za reviziju] (2010), 'Izvešće o obavljenoj reviziji – Hrvatska radiotelevizija' [Report on completed revision – Croatian radiotelevision], Zagreb, April 2010, available at: http://www.revizija.hr/izvjesca/2011-rr-2009/04-trgovacka_drustva/trgovacka_drustva_na_drzavnoj_razini/638_hrvatska_radiotelevizija.pdf (date accessed 11 June 2011)

Šikić, T. (2011), 'Medijska pismenost, pismenost 21.stoljeća' [Media literacy, the literacy for 21st century], available at: http://www.zbornica.com/index.php?option=com_zoo&task=item&item_id=250&Itemid=108 (date accessed 15 September 2011)

Topić, M. (2011), 'Kategorija 1: Sloboda izražavanja' [Category 1: Freedom of expression], in Z. Peruško *et al.*, *Hrvatski medijski sustav prema UNESCO-ovim indikatorima medijskog razvoja* [Croatian media system according to the UNESCO media development indicators] (Zagreb: Biblioteka Hrvatska politologija)

UNESCO (1999), *Educating for the media and the digital age* (Vienna: UNESCO)

van Cuilenburg, J. and D. McQuail, (2003), 'Media policy paradigm shifts: Towards a new communications policy paradigm', *European Journal of Communication*. 18, 181-207

Vejnović, S. (2007), 'Manji PDV na novine – Izdavačima 300 mil. kuna' [Lower VAT on newspapers – 300 million kuna to the publishers], *Poslovni dnevnik*, 13 June 2007, available at: <http://www.poslovni.hr/vijesti/manji-pdv-na-novine-izdavacima-300-mil-kuna-45393.aspx> (date accessed 11 June 2011)

VEM (2010), 'Pravilnik o kriterijima i načinu povećanja opsega udjela europskih audiovizualnih djela neovisnih proizvođača' [Rules on criteria and ways of increasing the share of European independent producers], NN 43/10

VEM (2011), 'Odluka o načinu vrednovanja prijave na natječaj za raspodjelu sredstava fonda za poticanje pluralizma i raznovrsnosti elektroničkih medija' [Decision on the mode of evaluation of the funding proposals by the fund for the promotion of pluralism and diversity of electronic media], 2011

Vjesnik.hr (2011), 'HND pozvao na istragu o kriminalu u medijima' [HND calls for investigation on criminality in media], 14 June 2011, available at: <http://www.vjesnik.hr/Article.aspx?ID=AE8639AF-E310-4519-8CB7-67ADAD059D72> (date accessed 6 July 2011)

Working Group for the preparation of negotiations concerning Chapter 10 – Information Society and Media (2008), 'HRT Programme Council and Electronic Media Council – Civil society role revisited', available at <http://www.min-kulture.hr/default.aspx?id=3728> (date accessed 5 May 2011)

Zakon o elektroničkim medijima (Electronic Media Act), NN 122/03, NN 153/09

Zakon o Hrvatskoj radioteleviziji (Croatian Radio and Television Act), NN 137/10

Zakon o izmjenama i dopunama Zakona o elektroničkim medijima (Amendments and additions to the Electronic Media Act), NN 79/07, NN 32/08, NN 65/09, NN 84/11

Zakon o izmjenama i dopunama Zakona o medijima (Amendments and additions to the Media Act), NN 84/11

Zakon o medijima (Media Act), NN 163/03, NN 59/04

Zgrabljčić Rotar, N. (2006), 'Mediji – medijska pismenost, medijski sadržaji i medijski utjecaji' [Media – media literacy, media contents and media influences], *Mediacentar_online*, available at: <http://www.media.ba/mcsonline/bs/tekst/mediji-medijska-pismenost-medijski-sadrzaji-i-medijski-utjecaji> (date accessed 15 September 2011)

Zgrabljčić Rotar, N. (2007), 'Medijska pismenost i komunikacijska prava djece' [Media literacy and communication rights of children], Seminar za voditelje županijskih stručnih suradnika školskih knjižničara, mentora i savjetnika [Seminar for regional coordinators of school librarians, mentors and councillors], Opatija, 13 July 2007

Zgrabljčić Rotar, N. (2011), 'Kategorija 3: Mediji kao platforma demokratskog diskursa' [Media as platforms for democratic discourse], in Z. Peruško *et al.*, *Hrvatski medijski sustav*

prema UNESCO-ovim indikatorima medijskog razvoja [Croatian media system according to the UNESCO media development indicators] (Zagreb: Biblioteka Hrvatska politologija)

9. List of Interviewees

Interviews were executed in February and March 2011. The anonymity of interviewees is protected and only their institutional affiliation is mentioned.

In the text of this case study report, the quotations from interviewees are referred to with the codes that have been added to the name of interviewee. The codes were adjoined to the names according to the following three categories: A) Actors of formulation of media policy, B) Actors of implementation of media policy, C) Journalists and other actors of media policy.

Most interviews were held in person, recorded and later transcribed; only seven interviews were conducted through e-mail correspondence and after the previous consultations with interviewees. In the following list the e-mail interviews are specially marked.⁵⁶ Two of the respondents answered two sets of questions as they hold the positions that are bridging two categories; these are marked by two codes.

- 1) Lawyer, *Vukić, et al. Solicitors*, Rijeka – Interviewee code A1 (e-mail) (17.02.2011.)
- 2) Director of the *Electronic Media Agency* and President of the *Electronic Media Council* (VEM), Zagreb – Interviewee code A2 (18.02.2011.)
- 3) State Secretary, *Ministry of Culture*, Zagreb – Interviewee code A3 (03.02.2011.)
- 4) Chairman, *Committee on Information, Computerisation and the Media*, the *Croatian Parliament*, Zagreb – Interviewee code A4 (09.02.2011.)
- 5) Deputy Director, the *Croatian Competition Agency*, Zagreb, – Interviewee code B1 (23.02.2011.)
- 6) Member, the *Electronic Media Council*, *Electronic Media Agency* – Interviewee code B2 (14.02.2011.)
- 7) Lawyer, *Havkić Solicitors* – Interviewee code B3 (18.02.2011.)
- 8) Editor, *eVaraždin portal* – Interviewee code B4 (e-mail) (22.02.2011.)
- 9) Lawyer, *Supervisory Board of Croatian Radio Television* (HRT) – Interviewee code B5 (18.03.2011.)
- 10) Head of the Department for Paper, Print and Media, *Croatian Chamber of Economy* – Interviewee code B6 (08.03.2011.)
- 11) Deputy Director, *Croatian Radio Television* (HRT); Member of the Executive Board of the European Broadcasting Union (EBU) – Interviewee code B7 (06.03.2011.)
- 12) Council Member, *Croatian Post and Electronic Communications Agency* (HAKOM) – Interviewee code B8 (09.03.2011.)

⁵⁶ The answers received by email were the result of the previous detailed discussion with each interviewee about the MEDIADDEM project, the purpose of interviews and the reasons why they were contacted (e.g., because of the role of their organisations; because they were involved in groups and committees discussing and proposing the laws and other elements of the media policy; because of their individual roles as lawyers participating in some litigation process, or being a journalist writing about some aspects of media policy, etc.). The interviewees were carefully chosen and informed about the purpose of the interview in detail. It should be also noted that the number of persons to be interviewed was much bigger. After initial contacts some of them declined to give the interview, which was in particular the case with managers and members of boards of directors of the privately owned media.

- 13) Head of the Department for Media, *City Council of Rijeka* – Interviewee code A5/B9 (e-mail) (02.03.2011.)
- 14) Director, *Croatian News Agency (HINA)* – Interviewee code B10 (04.03.2011.)
- 15) Journalist, *Varaždinske vijesti* – Interviewee code C10/B11 (e-mail) (23.02.2011.)
- 16) President, *Croatian Society of Independent TV Producers*; Director, *Drugi Plan Production House* – Interviewee code B12 (25.02.2011.)
- 17) Chief Editor, *Međimurske novine* – Interviewee code B13 (e-mail) (24.02.2011.)
- 18) Editor, *Varaždin Television* – Interviewee code B14 (25.02.2011.)
- 19) President, *Croatian Journalists' Association (HND)* – Interviewee code C1 (02.02.2011.)
- 20) Chief Editor, *H-alter On-line Portal* – Interviewee code C2 (10.02.2011.)
- 21) President (until May 2011), *Trade Union of Croatian Journalists (TUCJ)* – Interviewee code C3 (28.02.2011.)
- 22) Journalist of *Novi list* daily – Interviewee code C6 (25.02.2011.)
- 23) Deputy Chief Editor, *T-portal* – Interviewee code C4 (25.02.2011.)
- 24) Journalist, *Croatian Radio (HR)* – Interviewee code C5 (e-mail) (15.02.2011.)
- 25) Director, *Advans Agency* – Interviewee code C7 (28.03.2011.)
- 26) President, *Institute for New Media and E-democracy* – Interviewee code C8 (e-mail) (10.03.2011.)
- 27) Journalist, *Croatian Radio Television (HRT)* – Interviewee code C9 (01.02.2011.)
- 28) Journalist, *Varaždinske vijesti* – Interviewee code C10/B11 (e-mail) (26.02.2011.)