

CROATIA

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INTRODUCTION

It's been more than two decades since Croatia gained independence. The transformation has been profound and has, in a relatively short period of time, brought a systemic change, moving from a socialist system during Yugoslavia towards a right-wing authoritarian system in the nineties, and then towards a liberal system from 2000 onwards. The transition has symbolically ended with the EU membership in 2013, and it seems that this path implies an overall improvement of social institutions and the "quality of life" in general. However, an opposite claim could also be made, in this case related to the media system in Croatia. The following chapter will demonstrate why.

The chapter is based on primary and secondary data: primary data were gathered from three focus groups composed of journalists divided according to the type of media for which they worked,¹ and four interviews with relevant actors.² A fifth interview was planned with the Director of the *Croatian Radiotelevision, HRT*, a public service broadcaster, however he was unavailable.³ Secondary data included official statistics, reports written by institutions relevant in the field of media, academic research, market research agency reports, investigative journalist articles etc. Since particular type of data is unavailable, it was necessary to use alternative sources and to make estimates which provide only a limited insight into the field of research. Some of the difficulties in the process were caused by fragmentary data, or absence of data; access to information useful for research was sometimes denied (both by public and private institutions), and even when data could be accessed, the methodology of data gathering used by individual institutions is often insufficient and fragmentary. Although every effort was taken to make this paper as accurate as possible, the information may not be exhaustive, and not all the cases and all the media that deserves attention are included. The choices were made according to the context and period of writing in which some problems came to the fore while others, perhaps equally important, were marginalized.

1. MEDIA POLICY AND IMPLEMENTATION

1.1 THE DEVELOPMENT OF MEDIA POLICY

Media policy development in Croatia is characterized by two phases, with year 2000 seen as an important turning point in the recent history of the country. The first phase in the nineties was characterized by state-controlled media and poor regulation. The second phase began in 2000, after president Tudman's death and the change of government in

which the centre-“left”⁴ coalition with the Social Democrats as the leading political party came to power; during this phase, media regulation oriented towards the market pluralist model dominant in Western Europe started to develop. With the Croatian Democratic Union (HDZ) regaining power in the parliamentary elections in 2003, there was a worry that the EU accession processes would be hindered by the newly elected right-wing government. However, even to the surprise of the HDZ electorate, the political elite with Ivo Sanader as Prime Minister (now on trial for corruption), supported the EU accession processes. Thus, the media policy regulation continued to move in a similar direction regardless of the change of the ruling party: the media policy strategy of both the HDZ and the centre-“left” coalition was quite similar and mainly defined in accordance with EU provisions. This was accelerated with the candidate country status awarded in 2004, and formally concluded in June 2011. Due to the fact that HDZ was in power from 2003 to the end of 2011 – when the centre-“left” Kukuriku Coalition came to power – the majority of media-related acts were passed during their reign. Three of these are the most important for the media landscape: the Media Act (2004), the Electronic Media Act (2009) and the Croatian Radiotelevision Act (2010) that regulates the Public Service Broadcaster. Other laws important for the media field are the Audiovisual Activities Act (2007), the Croatian News Agency Act (2001), and the Electronic Communication Act (2008), as well as numerous other acts that indirectly touch upon the media landscape. As is obvious from the aforementioned, the acts regulating the media landscape are numerous, and frequent changes and amendments have made it a complex area to follow.

There has never been an explicit strategy developed by the policy makers in Croatia; instead, media-related policies were “imported” as a part of the EU accession processes.⁵ However, Nina Obuljen Koržinek,⁶ former State Secretary responsible for media at the Ministry of Culture during the reign of HDZ, maintains that there was an implicit strategy and that all the decisions were part of a broad participatory endeavour, but that this positive trend stopped when the current government gained power (in 2011). In her words:

It is hard to speak of a strategy before 2000, since the social context was such that it was necessary to find ad hoc solutions ... After 2000, the government decided to completely revise the media legislation. It was then, in 2002 and 2003, that the government decided upon the foundations and principles which defined the direction in which media policy regulation developed, and that direction has not changed, it has only changed insofar as to implement changes in the parts that did not enable implementation or in the parts where adjustments needed to be made in accordance with EU regulation. ... [Thus], I think it is wrong to say that we never had a media strategy, maybe not in the sense of a detailed elaborate strategic document, but a vision could certainly be derived from a participative process ... that big turning point in the beginning of 2000 and all later reforms and new regulations

occurred in a very broad participative process ... until the last changes that happened in the last two years that were enforced without any public debate.

A different opposite, view is visible in the statement of the current head of the Media Department at the Ministry of Culture, Milan Živković⁷ (SDP), who claimed that a strategy never existed while the decisions were made by a small circle of connected interested parties and not as a result of a broad participatory process. In his words:

We have never had a strategy that would be articulated in any form of document or an intentional project, and there was no debate outside of a small circle of interested parties that included representatives of political power and economic power along with, perhaps, a minor participation of representatives of the academic community or civil society... this was not much debated and the debates were held behind closed doors, and it was always a consensus between economic and political powers.

While a strategic document was never written, the direction visible in policy making in the last two decades, which reflects hegemonic discourse, clearly shows a determination to ensure free operation of commercial media and market competition, while state protection has been condemned as a relict form from the past socialist times – this was a position held by external actors representing the EU, as well as domestic, newly established elites that worked their way to deliver the necessary reforms and meet the conditions for the EU membership. Accordingly, there was a widespread belief in the “invisible hand of the market” – a notion that a regulatory framework for the growth of media pluralism based on market principles would guarantee a proper functioning of the media landscape. Obuljen Koržinek points out that this conviction has repercussions for the media landscape visible in the Media Act passed in 2004, which is the weakest link when it comes to the implementation of legislative provisions. As she claims, this is a very concrete result of the fear of political influence on the media landscape:

... The dissatisfaction with the implementation of the Media Act has a very clear cause, the cause was the insistence, through the directions provided by the Organisation for Security and Co-operation in Europe (OSCE) and the experts they put at our disposal, that no public authority institution/body was allowed to gain power to implement that Act, so now we have a situation that we have an Act that nobody implements.

While it is true that implementation is lacking, this seems to be a way to transfer the responsibility to external actors only, and to free local/domestic decision makers from responsibility in this respect. While the above-mentioned statement points to processes by which the State was passivized from outside due to fear of political control, Živković directs attention to the social actors that gained power in these processes. As he claims, media regulation defined in the decade 2000-2010, was created in accordance with EU regu-

lation which overtly favours economic players in the media field, but the whole process occurred as a consensus between the elites:

I think that the last changes [in policy regulation] are more in favour of economic power ... after all, the Television Directive of the European Union which forms the base for the Electronic Media Act has partly been introduced in order to protect the interests of commercial television in Europe, and to ensure its spreading, often at the expense of public service television ... to give an example, what lies behind the stipulation in the Electronic Media Act that the state ... has to allocate 15 percent of its total advertising expenditure to commercial local and regional media – if that isn't a normative transposition of small private interests then I don't know what is!

1.2 POLITICAL POWER

Even though both the former and current representatives of the Ministry of Culture insist that political power was marginalized in the policy regulation processes and implementation, it is evident that state officials, especially the members of the ruling parties, had an important role in the mentioned processes, not only due to their structural position, but also because of path-dependent actions in which “...preceding steps in a particular direction induce further movement in the same direction” (Pierson 2000). This path dependency is particularly connected to the period of the nineties, when the authoritarian regime of the former president Franjo Tuđman (HDZ) controlled the media, a period in which many social actors gained importance in political life and are still active today.

The power of the governing political parties in contemporary Croatia is most visible in the area of PSB regulation. The new Croatian Radiotelevision Act, introduced in 2010 and amended in July 2012, strengthened the position of the Parliament which now appoints the *HRT* general manager, the majority of the *HRT* Supervisory Board members and all members of the *HRT* Program Council. Thus, the governing political formation has an excessive power, visible in the recent case (September 2013) in which the Supervisory Board of *HRT* requested the dismissal of the general manager (Goran Radman) due to several breaches, but he was able to retain the post thanks to the support of the majority in the Parliamentary Committee on Information, Computerisation and the Media.⁸ This clearly shows that political support enables certain actors to retain their positions regardless of the evident breach of legislative provisions.

1.2.1 THE INEFFECTIVENESS OF REGULATORY BODIES

While media legislation is thoroughly defined as a result of EU accession processes, the prevailing problem that remains unsolved is the implementation of the provisions

stipulated in the acts. In this respect, the regulatory bodies that are supposed to supervise and monitor the players in the field are important. The Parliament plays an important role here since it appoints the members of the regulatory bodies important for the media landscape of which the one with the broadest powers in the field is the Agency for Electronic Media and its Council for Electronic Media. Even though they are formally independent, the members of the regulatory bodies are usually aligned with the political party which supports them in the appointment process. They are, as Živković puts it, semi-autonomous:

... We have a semi-autonomous regulatory body which is the Agency for Electronic Media ... it should function independently from the state, but the mechanism of selection is the Parliament that appoints the members of the Council for Electronic Media ... the parliamentary majority appoints members ... whether that is a good or bad thing – I don't know. ... I don't think that we have invented a better way to appoint members of these bodies ... The current attempt to establish a self-regulatory Media Council as a joint venture of the Croatian Journalists Association, the print media owners, [an idea that is] even supported by the Agency for Electronic Media has not given any results. The council is not functioning ...

Nada Zgrabljic Rotar,⁹ Associate Professor at the University Center for Croatian Studies, points out that the operation of the regulatory bodies is questionable, and explains it in the following way:

... To what extent are members of some regulatory bodies autonomous and free, and to what extent are they appointed based on the quality of their previous work and expertise or some other criteria? They should face some consequences if they don't fulfil their obligations.

In her view, one of the reasons for this problem is that the members of regulatory bodies are employed (their term in office usually lasts 4 or 5 years) and attempt to remain in position, thus they are not autonomous but depend on political structures. In addition, any type of long-lasting situatedness in the same institutional position necessarily ends up in various types of dependencies and connections which prevent the actors from fulfilling their formal obligations, especially if this includes stepping on the toes of a powerful social actor.

Another view on the ineffectiveness of regulatory bodies is given by Obuljen Koržinek, who links the problem to individual characteristics of the people in charge, and claims the main problem lies in the lack of expertise:

I am apt to explain this [lack of implementation of certain provisions] by the fact that knowledge about the media and media policy on all levels is very low. The recruiting pool of personnel is small ... [and] in the places where particular interests manage to flourish; it is the result of a low level of information, the lack of criteria and standard, [and] non-transparent way of decision making.

In addition to political pressures and influences obvious from the statements above, economic influences are also clearly visible and they determine the implementation processes. How to otherwise explain the situation in which a breach of legal provisions by commercial media has no repercussions for them although it is something that would, by common sense, be in the interest of the State, not only because it would obtain a stronger position that enables control, but also as a way to fill the state budget. As Zgrabljic Rotar puts it:

[If we look at commercial media] and I am mainly thinking of commercial television in foreign ownership ... we know that they don't fulfil their obligations set out in the program based on which they got the licence. That is not transparent and publicly available ... it is all because there are extremely strong economic lobbies ... that operate through advertising, management councils etc. In that part, there is not enough autonomy; they can put pressure ... well on everyone! These are strong institutions and bodies.... When I was a member of the Council for Media, all the violations made by Nova TV or RTL ended up in admonitions, regardless of who intervened ... are there any limits to admonitions?!

This non-transparent and passive position of the regulators working in favour of the commercial actors is visible in the case of *H-Alter* – a civil society association and a news portal – which demanded that the Council for Electronic Media publish the contracts signed with the largest television companies that have a national broadcast licence in Croatia. It took 14 months for the Council to make a move. Only one contract was made publicly available – the one signed with *RTL* in 2004 – from which it is clear that they do not fulfil the obligations stated in the contract based on which they got their broadcast licence.¹⁰

Another problem is that an insight into the work of regulators can be gained only through the activity reports which they submit annually to the Croatian Parliament. However, it seems that these reports are a formality only, and there are no repercussions for the regulators if they ignore this duty or commit misconduct. Nada Zgrabljic Rotar points out:

Is it really enough to submit a report to the Parliament once a year ... and then what? Nothing! We seem to always move in an inadequate field, and if someone wants to take advantage of that – it is clearly possible ... there are no consequences, it is more an administrative function.

1.3

ECONOMIC POWER

1.3.1

THE VAT CASE

A case indicating the strength of the media proprietors and the submissive position of the politicians in contemporary Croatia is the tax decrease of 2013 in favour of press media proprietors. After the election in December 2011 and the victory of the *Kukuriku*

Coalition, the actors positioned within the Ministry of Culture promised a more comprehensive change in the media field that would be serving the public interests. As a part of this move, upon his appointment Živković proposed a change in the licence fee that would be variable, in accordance with income. He also suggested that a part of public funding would be directed towards other type of media fulfilling the public interest agenda, such as civil society media or community media. He argued against the decrease of the value added tax from 10 to 5 percent, a request initiated by commercial players in autumn 2012. In this debate, the journalists too argued against this request, recalling the tax reduction in 2007 (the year of parliamentary elections), when the VAT was reduced from 22 to 10 percent for all newspapers and magazines – a decision made by the HDZ government with Ivo Sanader as PM – which did not benefit the employees or the public in any way, but was used to pay the debts of the proprietors. However, under the pressure of commercial players, the Value Added Tax Act was passed in July 2013, with Article 38 stipulating that VAT for daily newspapers would be 5 percent. This is clearly an attempt to materially support privately owned press media in a period of economic crisis. The main beneficiaries of the VAT reduction were two conglomerates, EPH and the Styria Group, whose gains translate into an annual loss of 24-million kuna (approx. 3,135,400 euro) for the state budget.¹¹

In addition, most of the news press is of extremely low quality, with a large amount of advertising, elements of tabloid journalism and little quality content that would be of public interest. The Ministry of Culture tried to mend this by proposing that the VAT decrease should be applied to the daily newspapers that publish texts written by in-house journalists, a minimum of 25,000 words,¹² and have a statute (the latter is already stipulated in the Media Act but without any concrete repercussions for those who do not fulfil this criterion). However, this is of little consolation in a period in which various types of taxes paid by the majority of citizens have been increasing as a measure to fight the economic crisis.

Another case in point is related to the restrictions on advertising introduced in 2010 through the Croatian Radiotelevision Act, when the legislator limited the amount of advertising on HRT. This occurred under the pressure of commercial operators as the deciding factor, and was not – as would be expected – supported by the argument in favour of the public or the role of the PSB in accommodating their interests (Švob-Đokić et al. 2011).

1.4 THE PRECARIOUS POSITION OF JOURNALISTS

Legislative provisions are often breached in favour of media owners at the expense of journalists, but without repercussions. For example, Article 26 of the Media Act addresses the relations among media owners, editors in chief and journalists, stipulating that these relations are regulated in media statutes. However, many media outlets do not have statutes and are never penalized for the violation of the law.

This has serious repercussions for the working conditions of journalists. In addition, regardless of the provisions protecting journalists and their working position within the media organisation, there are “grey zones” in legislation, including the Media Act (Article 2, definition of journalists), and the Labour Act (Article 8). This is heavily exploited by employees who offer journalists contracts in which their obligations are similar to those of other employees (in terms of exclusivity, regular attendance in office etc.), while their rights and security of position are diminished (the so-called RPO /*Registar poreznih obveznika*/ Register of taxpayers) contracts.¹³

1.5 GOOD PRACTICES

A positive change initiated by the current political actors in the Ministry of Culture is visible in that civil society media are finally recognized by the regulators as important. In July 2013, the Law on Electronic Media was amended – among other changes non-profit media were redefined, including not only non-profit audiovisual and radio programs but also online publications (web portals).

Another important novelty is that 3 percent of the lottery funds have to be allocated to non-profit media, which means around 3,000,000 kuna (approx. 392,000 euro) annually. The newly developed program aimed to “strengthen the critical capacity and social influence of non-profit media” (different platforms - from print, radio and TV to online media), but also to “widen the information range (number of topics) and relevance of content (background information) of established general and specialized non-profit media; initiate the establishment of new non-profit media, and the professionalisation of journalist and authorial work in the non-profit media.”¹⁴ During spring 2013, a mailing list was formed including non-profit media and other interested parties, and a public debate was organized via the website of the Ministry of Culture. The debate was also sustained through events such as round tables and meetings at the Ministry of Culture. In this case too, the pressure of commercial interest was strong. Among other things, it was claimed that the fact that an organisation is registered as a civil society association says nothing about its profile and quality of work. Thus, they too claimed to act in the public interest and consequently have the right to financial support. However, in this case, the civil society associations remained the main beneficiaries of this program, probably because the amount of funds allocated was quite small compared to other subsidies, and because the number of commercial media fulfilling the criterion of providing content of public interests and nurturing a critical approach, is so small that they remained almost invisible.

An interesting new initiative organized by the Ministry of Culture is the pilot-project of public commissioning of investigative stories. As explained on the web site of the Ministry,¹⁵ the aim was to include the public in the decision making process on what

journalists should investigate and consequently publish. This initiative was inspired by Dan Hind's book *The Return of the Public* (2010), in which the author argues for the empowerment of the public in decision making processes and the implementation of a new participatory model in media production.

The invitation for journalist projects attracted 50 anonymous applications. The proposal of topics had to be laid out in a letter of intent issued by a non-profit media outlet that guaranteed the publication of the story if the topic/project received financial support. The projects were then evaluated by the Expert Committee for Non-Profit Media and citizens who could vote online (during one week period); 1,764 citizens voted, and 15 projects were granted one-month financial support, while three were granted a three-month support. The topics that received the highest number of votes covered the finances of the Catholic Church in Croatia (*lupiga.com*), the destruction of the working class (*lupiga.com* and *Stav/Cenzura.hr*), and the criteria used in compiling the reading lists for elementary and secondary schools in Croatia (*booksa.hr*). The other projects that received financial support covered privatisation, women as labour force, financing of national theatres in Croatia, specific corruption affairs, the negative depiction of the Serbian national minority in local media, pollution, democratic deficit in EU etc. At the end of the commissioning process, the Ministry concluded that the project did not receive much media attention, and not many citizens engaged in the voting.

It can be assumed that the citizens that did vote were directly or indirectly involved in civil society activism and are the regular users/audiences of the sites that will serve as the publishing platform for the projects. They are a small niche, so, in a way the project was preaching to the converted. However, as far as the voting is concerned, this might be a good thing (in saying so, I consciously risk the accusations of elitism). In fact, in attempting to engage citizens in modes of participatory democracy, one needs to consider the consequences – are we ready to accept the potential outcomes of the votes regardless of the results? The advocacy for participatory models has mutated in various ways – in the media, this supposedly anti-elitist trend implies the inclusion of “ordinary people” in the production and consumption processes. It is visible in new media formats in which “ordinary people” have a central place, and talent and reality shows in which “ordinary people” participate and vote. It also implies the simplification of discourses in various fields in order for “ordinary people” to understand, and is also manifested in civic journalism that invites the community to act upon their environment etc. A few decades ago, the production of media content was strictly the domain of professionals, but the trends described above have changed this, severely affecting journalism as a profession and changing for the worse the media representation of the social world.

As far as the audience reach is concerned, the project should aim at a wider dissemination of resulting texts via mainstream media, or – at least – media funded through the state, regional or local budgets. This would probably shake up both the producers and the consumers of mainstream media not used to this type of content. In addition, the public is now limited to internet users, both in terms of voting, and in terms of reading/viewing – thus the participatory channels should be broadened. In any case, this is yet another attempt of the current leaders of the Media Department at the Ministry of Culture to change and improve the media production in Croatia by introducing and experimenting with small scale alternative models.

1.6

CONCLUSIONS

The Croatian media landscape has been shaped by two dominant forces: on the one hand, the EU policies that enhanced the liberal market economy and opened up the field for commercial media, and on the other, the authoritarian political regime in the nineties in which political power dominated over the social processes and institutions. This changed in 2000, when new players in the political arena, regardless of declared ideological positions, adopted a positive stance towards EU accession and economic measures. Thus, a close cooperation between strong economic actors and political decision makers is clearly visible. In the case of media policies, only a few civil society actors counteract the aforementioned sources of power, and demand better regulation and implementation in the media landscape.

The weakest link is the enforcement of legislative provisions. There are various explanations of this problem, from the lack of autonomy of the regulatory bodies and/or lack of expertise, to the lack of any penalty for misconduct. Obviously, the implementation of the provisions is the responsibility of regulatory bodies, and it is clear that non-action is also a type of action. In this respect, commercial players (especially the major players) are not affected much by media legislation, meaning that they are in a privileged position since in practice they are often exempt from rules. This could also be claimed for political actors in power, even though they are – as public figures – more subject to media scrutiny and public pressure than commercial players.

It can be argued that in contemporary Croatia economic power is much more threatening to free and independent media than political power which was viewed as the main threat in the nineties. This is perhaps a simplified division, since interconnections between power structures in society are quite complex. However, if we remain at the level of regulation, it is clear that new threats presented by advertisers, marketing agencies, public relations agencies, as well as banks that are creditors of media outlets, are growing, but have

not been addressed in legislative provisions. Influence and pressures emanate from actors that have no direct, palpable connection to media organisations and are located outside of the conventional proprietor-editor-journalist scheme. At the same time, the society's expectations of social responsibility of these actors are low, and they remain in the interim area between the public and the private. The question is how to resolve this structural problem – one that goes way beyond the borders of Croatia. What is linkable (but not limited) to Croatia is the formally well-defined media legislation that lacks implementation on all levels, and a domination of interconnected economic and petty political interest that are surely not serving the public interest.

2. MEDIA OWNERSHIP

2.1 TRANSPARENCY OF OWNERSHIP

Transparency rules on ownership structure and a financial report were introduced in the media legislation a decade ago. They apply to all media. Hidden ownership is banned. The Media Act ensures transparency of ownership. All media outlets are obliged to submit ownership data to the Croatian Chamber of Economy, and this data also has to be published in the *Official Gazette* (Article 32). The Electronic Media Act stipulates that electronic media organisations have to submit annual reports on ownership structure (Article 52) and potential changes (Article 57) to the Council for Electronic Media. They also have to publish data on ownership in the *Official Gazette* (Article 52).

The Media Act (Article 35) also ensures the protection of market competition, which also applies to all media. The media are obliged to declare their intention to merge¹⁶ to the Market Competition Agency (Article 36). A specific provision in the Media Act that limits concentration is applicable to press outlets only, and limited to media outlets whose market share in terms of total sold copies exceeds 40 percent (Article 37).

Electronic Media Act restricts cross-media ownership of television and radio operating on different levels (national, regional and local), satellite, internet and cable operators, and prevents advertising agencies or legal entities holding more than 10 percent of shares in advertising agencies to hold shares in television or radio outlets (Article 60). It also defines the meaning of “connected/affiliated parties” as individuals connected through family, marriage, relatives, shareholders; individuals connected through marketing contracts, members of various supervisory boards (Article 53). These “affiliated parties” are taken into consideration when determining media concentration (Article 55).

In short, the legislation seems to be well defined. However, as with so many other fields, there is room for improvements and the implementation is lacking. The publication

of data in the *Official Gazette* is not monitored, and even if data is available, it is only searchable for individual media outlets. Since there is no special issue published by the *Official Gazette* that would list all the changes during the year, the search is complex and long-lasting. The same is true for the data published or not published as the case may be, by individual media outlets.

However, some small improvements are visible in the transparency of media ownership. The Electronic Media Council has invited media organisations to upload to its new website their profile information including ownership structure. Hopefully this will enhance not only communication between the Electronic Media Council and the media organisations, but also accessibility for all other interested parties.¹⁷ The updated list of registered electronic media outlets is now available on the website of the Agency for Electronic Media (AEM), but as of February 2014, ownership data (which are not always accurate) are provided only for television and radio companies and not for electronic publications (i. e. web portals) as well.

The Croatian Chamber of Economy provides online access to a document that contains a list of registered press outlets, but only the name of the company that owns a press outlet is listed. Put differently, even though some improvements have been made, the data provided are partly inaccurate and incomplete and it takes considerable time and effort to dive into the complex network of ownership structures. The name of the company does not say anything about the persons standing behind it. As an example, the companies Europa digital d.o.o. (web portals), *Slobodna Dalmacija* (press), EPH Media (press), and Gloria Grupa (press), seem to have nothing in common, but they have the same address and they are all subsidiary companies within EPH group, owned by WAZ and Ninoslav Pavić. Another example could be provided by sketching out the path anyone interested in this issue needs to pursue to unearth the ownership structure of a media company. Let us try with the controversial web portal *Dnevno.hr*: in the records of the Electronic Media Council it is stated that the publisher is Portal Dnevno d.o.o., and only the name of the “person in charge” is available. The Register of Business Enterprises (biznet) of the CCE¹⁸ lists this company, but no information is provided about the ownership structure. The Court Register has some additional information, namely that the founding company is Chic Turizam whose director is Silvio Čižmak. A search of the company Chic Turizam d.o.o. shows that the founder of the company and its director is Nikica Gović – so one can only assume that Nikica Gović owns *Dnevno.hr*. According to the investigative news portal index.hr, the founding firm Chic Turizam d.o.o. is currently blocked due to debts, and was previously in the ownership of the entrepreneur Michael Ljubas, who is suspected to financially stand behind the web portal.¹⁹ This small exercise demonstrates how difficult it is to determine the ownership structures and connected persons – something that could

be made easily available in an era of networked social institutions and advanced software. The question is who benefits from this obscurity?

2.2 OBSCURE PRIVATISATION PROCESSES IN CROATIA

With the changes in the beginning of the nineties, and the transformation from a socialist self-management model to a liberal market economy model, commercial privately owned media entered the market – the press was almost entirely privatized, commercial radio stations mushroomed, followed in 2003/2004 by the entrance of commercial televisions with national licences. The privatisation of the press was burdened by corruption and obscurity which have not been entirely cleared up to this day. Ilko Čimić,²⁰ one of the leading investigative journalists in Croatia traces the connections among various political and economic actors in Croatia implicated in corruption affairs in the field of media. He specifically focuses on the Westdeutsche Allgemeine Zeitung (WAZ), the German media concern that entered South East Europe at the end of the nineties and engaged in a partnership with Europapress Holding (EPH) owned by Ninoslav Pavić – each held 50 percent of the shares (with the most successful outlets being *Globus* and *Jutarnji list*). At the time, the entrance of foreign media players was viewed as a positive change – a mechanism to introduce professional and ethical standards of business conduct that supposedly worked in the West. However, this was soon proved to be an illusion, as the president of the executive board of the Independent Association of Journalists of Vojvodina, Nedim Sejdinović, claims:

*In some cases [with the entrance of WAZ] the journalism profession was even further degraded, and it was jeopardized anyway in the countries of South-East Europe. WAZ is characterized by the fact that their media outlets have never been in opposition to the politics and strategic objectives of the governments in the countries in which their particular media made business.*²¹

The Gruppo affair came to light after the death of the former president Franjo Tuđman and the change of the government in 2000. Several powerful media players were investigated for media corruption – a form of cartel was created in the media field which included actors in the field of economy connected with highly positioned politicians (Ninoslav Pavić, the tycoon Miroslav Kutle, the film producer Vinko Grubišić and a highly positioned member of the HDZ, Ivić Pašalić). However, the investigation has never been brought to a closure. With HDZ and the new premier Ivo Sanader (now on trial for corruption) regaining power in 2003, WAZ/EPH started to expand their business – from media to consulting, real estates, tourism etc.²²

As to corruption, the classic case in point was that of the privatisation of the daily *Slobodna Dalmacija* owned by the employees and sold via the Croatian Fund for Privatisation. It was bought by EPH in 2005 under dubious circumstances and included

financial malversation in the transfer by way of which the tourist agency Adriatica.net was sold to *Slobodna Dalmacija* (EPH). This process also signifies the beginning of the domination of Ivica Todorčić – the owner and president of the concern Agrokor – in the press distribution business, since he became the majority owner of the press distribution company Tisak when he bought shares from Ninoslav Pavić in 2006. All the buying contracts were secret and it was not until the end of 2010 that *Jutarnji list* and *Slobodna Dalmacija* published them partially, revealing what was already suspected - that numerous provisions in the contracts were never fulfilled (the establishment of a higher education institution for journalism in Split, the obligation to keep all employees, the purchase of new equipment etc.). The current situation in EPH is difficult – financial risks linked to its entrance into the fields other than media field brought the concern to collapse. Their debt is sky-high – 487,700,000 kuna (approx. 63,704,713 euro),²³ with the main debtors being banks, followed by subsidiary companies within EPH, and the state which cancelled the debt in the amount of 1,044,915 euro, which naturally triggered a public debate.²⁴ Currently, the banks own EPH, and the ownership will change in the next few months, which marks the end of the domination of Ninoslav Pavić and WAZ.

The discovery of various corruption scandals has accelerated with the arrest of the former Prime Minister Ivo Sanader (Hypo Bank, Fimi media...) and a few large cases revealed the crucial role of marketing agencies in money laundering. One such agency was Fimi media – the agency that had exclusive rights and was tied to the political party HDZ and the former prime minister. Another notorious affair disclosed in November 2013 involved the Croatian Chamber of Economy and a theft of 32 million kuna (approx. 4,180,000 euro) stolen via fictive marketing services. A corruption case directly connected to the world of the media is that of Core Media – an entertainment production firm owned by a former HRT anchor Dijana Čuljak and her spouse Vladimir Šelebaj-Sellier, who have been accused of fraud and tax evasion. The affair also includes the former director of the commercial television *Nova TV* Siniša Svilan, accused of accepting bribe in order to air production content made by Core Media on *Nova TV*.²⁵

2.3 MEDIA PLATFORMS AND OWNERSHIP STRUCTURE

2.3.1 TELEVISION

Commercial televisions with national licences are in foreign ownership – the Free-to-Air market developed in 2004 with the entrance of *RTL* and *Nova TV*. The audience shares have changed in the last two years and show that in the competition between the most important television channels,²⁶ the commercial television *Nova TV* is in the lead (24.59 percent), while the *HTV 1* (19.60 percent) and *HTV 2* (9.35 percent) show a decrease in audience shares, as does the commercial *RTL TV* (16.74 percent).²⁷

Table 1 OWNERSHIP STRUCTURE OF COMMERCIAL TELEVISIONS WITH NATIONAL REACH

NOVA TV	CME MEDIA ENTERPRISES 100%
RTL TELEVIZIJA	RTL - RTL GROUP CENTRAL & EASTERN GMBH, KÖLN 99.99% ATLANTIC GRUPA D.D. 0.01%

Source: Agency for Electronic Media.²⁸

Local and regional media usually do not have big audience shares compared to national and international televisions but they are important since they are mainly concerned with local issues and thus provide audiences with specific information that is available only through such media. As pointed out in the research conducted by Ipsos Puls and partners,²⁹ most of the local and regional television channels do not meet the technical standards that would enable the collection of data on viewership – which severely limits the possibility of collecting reliable data. The analysis of channels that give access to data collection on viewership shows that the three channels with the highest share are *Jabuka TV* (SHR 0.53 percent) registered within the share company *Otvorena televizija Zagreb*, covering Zagreb and the counties surrounding it, and *Nezavisna televizija (NET)* (SHR 0.42 percent) operating in the same area. The third is *Osječka televizija* (SHR 0.33 percent) that covers the eastern part of Croatia on the border with Serbia. All of them are privately owned; however, politics seem to have an important impact on the life of local media. This is visible in the example of the last mentioned *Osječka televizija* (OAR d.o.o.) that operates in the region where two right-wing political parties dominate the political arena. *Osječka televizija*, tied to the political party HDZ, was established as a competition to the *Slavonska TV* formed in 1992 (*Televizija Slavonije i Baranje* – a company predominantly owned by Darko Tolić – 47.06 percent and Damir Marketić – 47.06 percent), which is claimed to be tied to the far right political party HDSSB.

The former owner of *Osječka televizija*, Drago Veselčić, who bought the television in 2007, is now a witness in the Fimi media trial connected to the former Prime Minister Ivo Sanader and the political party HDZ. In the trial he witnessed that HDZ gave financial support to *Osječka televizija* just before the parliamentary elections in 2007, and that cooperation with HDZ was necessary if advertising income was to be ensured. In 2008, Željko Biloš, close to HDZ, bought the television acting upon a decision made by the leading figures in HDZ, who enabled a curiously fast acquisition of all necessary technical permits.³⁰ When Krešimir Bubalo, a member of the far right party HDSSB (a regional party formed by the dissatisfied members of HDZ in 2005), was elected Mayor of Osijek (2009-2013) and Vladimir Šišljagić was elected Head of County (2009), the marketing income decreased substantially.³¹ The

owner Željko Biloš was arrested in spring 2013 and accused of corruption.³² This example shows how politics still plays a major role in local media, and the way they are entangled with local entrepreneurs, advertising agencies, administrative bodies etc.

In terms of formal state ownership, according to the register available on the web site of the AEM, local authorities (boroughs, cities and counties) hold shares in only four of the 21 local and regional television station (Table 2).³³

Table 2 STATE OWNERSHIP IN LOCAL AND REGIONAL TELEVISION STATIONS

LOCAL AND REGIONAL TELEVISION	STATE OWNERSHIP (LOCAL AUTHORITIES)
KANAL RI	CITY OF RIJEKA 23.16% PRIMORSKO GORANSKA COUNTY 29.65%
VTV	VUKOVARSKO-SRIJEMSKA COUNTY 20.50% CITY OF VINKOVCI 20.50%
NOVA TV	ISTRA COUNTY 5% CITY OF PULA 8.05% CITY OF ROVINJ 8.08%
NEZAVISNA TELEVIZIJA	BOROUGH LIPOVLJANI 2.64%

Source: Agency for Electronic Media.³⁴

However, as obvious from the examples above, formal ownership does not reveal the structural connections between networks of actors involved in various social domains.

2.3.2

RADIO

There are around 150 registered radio stations in Croatia.³⁵ Six of these have a national broadcast licence: three PSB stations – *HR 1*, *HR 2*, *HR 3*, and three commercial – *Hrvatski katolički radio*, *Narodni radio*, *Otvoreni radio* (Table 3).

Table 3 OWNERSHIP STRUCTURE OF COMMERCIAL RADIO STATIONS WITH NATIONAL COVERAGE

NARODNI RADIO	RADIO CROATIA. OWNED BY NARODNI FM 100%
OTVORENI RADIO	ADRIMEX 25% MEDIA PLAN 75%
HRVATSKI KATOLIČKI RADIO	CROATIAN BISHOPS CONFERENCE 100%

Source: Agency for Electronic Media.³⁶

Radio is important on local levels, since this is one of the main sources of information for local media users. The radio stations with the highest daily reach are all commercial – the two already mentioned – *Narodni radio* and *Otvoreni radio*, and a regional *Radio*

Antena Zagreb owned by *Antena radio*. According to the study on the local radio market conducted by the NGO Gong,³⁷ the majority of radio outlets are privately owned (67.54 percent) while 25.52 percent are majority owned by local authorities or public bodies. The rest are in the ownership of religious organisations (1.98 percent), civil society organisations (1.98 percent) and universities (1.32 percent).

The research showed that of the 103 privately owned radio outlets, 32 are in the ownership of eight persons, which means that they own a third of the total private radio market in Croatia. Fifteen radio stations of the 32 above mentioned are part of four (out of five) regional and national networks. As pointed out in the research, program networks were for the first time established in 2010, and they enabled a type of alternative concentration since networking empowers local radio outlets and owners that dominate the radio market in several ways. Their reach is wider and comparable to that of national broadcasters, even though they don't have to comply to the rules and conditions stipulated in the legislative provisions concerning the level of reach (the larger the reach, the more expensive it is). It is also financially lucrative since an increased reach implies a larger audience and, in turn, more advertising. The study gives an example of the network *Totalni FM* which broadcasts nationwide; however the particular radio stations that form the network do not have a national licence and pay a lower fee to the AEM.

Another important finding is that the company Media Servis – a production company that has an important role in the radio market since it produces news for local and regional radio outlets – has 53 radio outlets as members that air its news program – which surely diminishes the diversity especially with regard to local communities.

Therefore, networks increase audience reach and consequently income via advertisers, and enable a bypass of broadcast licence fees defined according to the signal reach. It we add to that the results of EMA's monitoring³⁸ which show that some radio outlets do not fulfil their licence contract obligations, especially in the area of own production and provision of local information (*Radio Virovitica*, *Arena radio*, *Studio Minsk*, *Radio Centar* etc.), probably as a tactics employed to cut the expenses, one can only conclude that a closer monitoring of radio markets needs to be conducted, since radio proprietors increase their power while diversity of content has been diminishing.

2.3.3

THE PRESS

The press registration is the purview of the Croatian Chamber of Economy (CCE). Even though provisions regarding ownership data were introduced through the Media Act a decade ago, this still remains an obscure, petrified area. According to the fragmentary CCE

evidence, there are 865 registered newspapers and magazines: 598 of them submitted data on ownership structure and income for 2012 which makes 69.1 percent; however, the data is fragmentary and inaccurate.

In terms of the circulation and reach of top dailies, the Austrian company Styria dominates the market with *24 sata* and *Večernji list*, followed by EPH that publishes the daily *Jutarnji list*. However, even if Styria has found the formula for successful audience reach - with the tabloid *24 sata* which is the cheapest daily in Croatia, EPH is the dominant player in the market since it also publishes the daily *Slobodna Dalmacija*, the most successful women's weekly *Gloria*, the long-standing political weekly *Globus*, along with other weeklies and monthlies. Styria, on the other hand, via its subsidiary company Adria Media Zagreb, publishes several weeklies and monthlies such as *Cosmopolitan*, *Story*, *Roditelji*, *Sensaklub*. According to some estimates, EPH covers 60 percent of the press market, and Styria around 30 percent which together makes 90 percent of the total market in Croatia. However, data on circulation and reach vary depending on the source of information, and so do the estimates of market shares. In any case, it is clear that EPH and Styria form duopoly in the Croatian press market (Table 4).

Table 4 OWNERSHIP STRUCTURE OF DAILY NEWSPAPERS WITH HIGHEST CIRCULATION

24 SATA	24SATA D.O.O. STYRIA 100%
VEČERNJI LIST	VEČERNJI LIST D.O.O. STYRIA 100%
JUTARNJI LIST	EPH MEDIA (CHANGING OWNERSHIP)

Source: The Court register.³⁹

2.3.4

WEB PORTALS

According to the research conducted by GFK in September 2013, 64 percent of the population above age 15 use the Internet. Age is an important variable in this respect: the older the population, the smaller the level of usage.⁴⁰ The Internet is mainly used to read news (85 percent),⁴¹ meaning that this platform is increasingly important, with the population that is accustomed to this type of information gathering also growing.

There are 150 registered online publications at the Agency for Electronic Media. Alexa's ranking of information and news portals⁴² shows that the investigative portal *Index.hr* occupies the first position, followed by *Jutarnji.hr* and *24sata.hr*, which are online extensions of press outlets. If we look at the web portals that do not have their press counterparts, the three leading ones are the already mentioned *Index.hr*, *Net.hr*, and *Tportal.hr*.

Table 5 OWNERSHIP STRUCTURE OF THE TOP THREE INTERNET NEWS PORTALS THAT ARE NOT AN EXTENSION OF PRESS OUTLETS

INDEX.HR	INDEX PROMOCIJA
NET.HR	ADRIATIC MEDIA, PROFICIO
TPORTAL.HR	CROATIAN TELECOM, DEUTSCHE TELEKOM

Source: The Court register.⁴³

The top portals are all in private ownership and the first two companies face financial difficulties. The Adriatic Media (*net.hr*) has recently (in January 2014) launched a network in partnership with the Europa Digital (EPH) which will be in charge of the sales of advertising space. There are speculations in the media that this is a transaction that indicates that EPH has purchased Adriatic Media – this naturally opens up the question of how a concern that is undergoing a pre-bankruptcy settlement procedure can be a candidate to buy anything?⁴⁴ The answer lies in the fact that even though Europa Digital is a subsidiary company of EPH group, it is not included in the pre-bankruptcy settlement, and has thus the legal possibility to engage in transactions such as this even though the concern is in huge debts – which also indicates a distorted ways in which the media systems operate in contemporary societies.

The most popular portal *Index.hr* is published by the company Index portal which was, according to the data available, founded by Index Promocija in 2009 formally led by Vana Šalov, but the main person behind it is Matija Babić. This controversial portal is the leader in publishing investigative journalism articles. Index.hr is today facing financial difficulties, and the Ministry of Finance initiated a bankruptcy settlement due to tax debts (130,000 euro). A contextualisation of this case explains the timing chosen by the Ministry of Finances. As a matter of fact, Index.hr has revealed corruption in the Ministry of Finances implicating the assistant minister Branko Šegon. They have also frequently written about pre-bankruptcy settlements as a form of financial malversation, with the most recent one (February 2014) involving EPH.⁴⁵ EPH – on the other hand – has launched a war of words against the portal, which has even triggered a reaction of the Croatian Journalists Association, which pointed out the unprofessional conduct of *Jutarnji list* in this case.⁴⁶ In fact, while there is no doubt that the portal is in debts, the question remains why these two media outlets both facing bankruptcy have received completely different treatments by the state?⁴⁷

Perhaps the reason is well explained in a statement by Žarko Puhovski, a retired university professor and political analyst, who claims that ever since 2000, the state leaders have had an “intimate relationship” with the EPH:

*All premiers had it. Perhaps Jadranka Kosor the least of all, which is why she was most criticized by them. That has been a practice of the Government during the last 13 years. Freedom of the media is relativized and some media are privileged ... One only has to look at how many 'secrets' Jutarnji list has published, in order to know that what is involved there is not investigative journalism, but a form of government news bulletin. Compared to Sanader, Pavić is more servile to Milanović because he has serious financial problems and thus needs the Government.*⁴⁸

In contrast to EPH, the portal *Index.hr* has been more of a disturbance to the governments, which is why overt and covert mechanisms are invented to make it disappear.

2.4 THE CONTROL OF PRESS DISTRIBUTION AND ADVERTISING

A contemporary weak spot in media ownership and control is the press distribution. The concern Agrokor, owned by Ivica Todorčić holds 54.1 percent shares in Tisak, which is the main press distribution company in addition to iNovine, owned by the Adris Group. They planned to merge, by which iNovine would hold 79.99 percent of Tisak with an income of approximately 500 million euro annually,⁴⁹ and would also have control over the products sold in the kiosks – of which the two most important are tobacco and newspapers. However, at the end of 2013 they withdrew their intention to merge. This probably occurred because it would be a clear case of monopoly, which has been explicitly problematized in the media ever since the announcement of their intention to merge.⁵⁰ Even though the merger did not take place, Todorčić still controls the main channel of press distribution, which is one way to indirectly censor press media who are dependent on this distribution channel.

The control of press distribution is not the only power position of the owner of Agrokor – Ivica Todorčić. Since Agrokor is also the largest advertiser in Croatia, all commercial media depend on its advertising which is why the coverage of the company in the media is completely marginal or, in rare cases when it appears, it is favourable. In addition, the advertising agency Unex Media is part of the Agrokor Concern,⁵¹ which makes Todorčić the grey eminence of the Croatian media landscape. Another powerful marketing agency, which is also Agrokor's partner, is Digitel, which has a large list of clients. One of the members of the Digitel Group is the independent production company Ring Multimedija – which has had a continuous cooperation with the *Croatian Radiotelevision* – whose director is Robert Tomljenović. One problem that occurs here is the fact that Tomljenović has been elected a member of the Electronic Media Council, approved by the Parliament,⁵² a case which again shows a close and almost inevitable connection between the political structures and commercial players.

The issue of Agrokor's influence on media through marketing was frequently brought up by the journalists in the focus group discussions:

Marketing rules over everything ... it is normal everywhere. Instead of editors deciding what you are allowed to and what not, managers and marketing directors do it. I was under enormous pressures not to publish anything about Todorčić. Not only negative things, but one is not allowed to mention him at all! His largest victory lies in the fact that the media made him invisible, as if he does not exist. That is the key thing. ... this was explicitly told to us. ... there are hundreds of examples of this. For example, Aljoša Roksanidć, and Digitel and the other marketing agency of Todorčić [Unex] ... there were a few topics about some of them, and somehow they found out before it was printed. As if they were Tuđman or Sanader! They called our newspaper and said that we cannot publish that or they will withdraw all the ads, they are actually monopolists in dealing advertisements from the largest firms, the corporations ... (focus group NPM).

The main problem of the media ownership in Croatia is the concentration of power held by a few main commercial players. Large media are predominantly in foreign ownership – this is true for the television market (*RTL, Nova*), press (*WAZ, Styria*), and partly the internet market (*Deutsche Telecom*), while the radio market is mainly in domestic ownership. Press distribution and advertising that keeps all commercial media alive is mainly controlled by the domestic concern Agrokor. Strong economic players, whether in foreign or domestic ownership, are tied to political structures that either ensure a legal framework favouring private economic interests, or ignore the implementation of the existing legal framework by turning a blind eye in cases of breach. This enables the strong media players to engage in risky businesses (as in the case of *EPH*), or to ignore the licence contracts, workers' rights or any other rule, if they choose to do so, knowing that they are untouchable.

Media concentration occurs in semi-legal ways, by using the grey areas that are not properly regulated. This manifests itself in business expansion to areas unrelated to the media (*EPH, Agrokor*). In addition, new innovative ways of concentration are found in order to diminish the costs and increase power (such as in the case of radio networks). The old-school political pressure is mainly dominant in local media where entrance is allowed to individuals loyal to the political option in power.

2.5 MEDIA OWNERSHIP AND THE PROMOTION OF PARTICULAR INTERESTS

Privatisation and commercialisation of media has brought about negative trends that have an important impact on the media. First and foremost because media owners are market players and naturally promote this type of social relations as the best possible. Private media ownership makes it possible for the owners to promote their interests and

even to engage in covert advertising, which is especially threatening if they are engaged in various types of businesses that are not linked to media production.

A case of apparent usage of media outlets to promote the interest of the proprietor is the case of EPH. In 2013, *Jutarnji list* and *Globus* (EPH outlets) published a series of articles defaming the public Croatian Health Insurance Fund. As Hrvoje Jurić claims, *Jutarnji list* and *Globus* engaged in a

*...total war against public good, the interest of the people, democracy, politics in the real sense, as well as against common sense ... the continuous and persistent publishing of articles against the Croatian Health Insurance Fund in Jutarnji list, has the aim of convincing the people that the main problem of the Croatian health system is that it is in the hands of the state, which is, in the perspective of EPH, a bad owner, and to prepare them for the soon coming commercialisation and privatisation of the health system.*⁵³

A vivid example of the character of these texts in *Jutarnji list* was the article entitled “The whole truth about the collapse of the Croatian Health Insurance Fund: The Croatian health system is in collapse and it is dangerous for the health of the citizens.”⁵⁴ The article is a clear advocacy for the “real liberalisation of health services and the acceptance of market principles,” which is not surprising knowing that EPH engaged in two projects in the field of health insurance business (*dosi.hr* and *dodo.hr*).⁵⁵

The continuous attacks on the public sector and a parallel opting for private, commercial enterprises are also visible in the coverage of education. From 2008 onwards, the student movement fighting against commercialisation of education has been strong in Croatia, as a reaction to the severe and fast changes in the higher education system that have resulted in bureaucratisation, commercialisation and lowering of standards. *Jutarnji list* frequently engaged in a discursive war against left-leaning social activist groups critical towards these changes. The main strategy to besmirch their activities was to depict their ideas as a childish, idealist, detached from reality, and this was mainly done by quoting “neutral experts” who would give their “detached” and “objective” vision of the matter. For instance, they published the opinion of an expert who spent considerable time teaching at American universities, now working in Croatia:

*Dr. Ana Munk is surprised by the immaturity of the students who refuse to enter into the world of the economically responsible, for them so abhorrent adults, as if they are trying to prolong their childhood in which parents, the state and tax payers are obliged to resolve all their problems while they, for example, read Capital.*⁵⁶

While this is only one example, there were enough articles published in *Jutarnji list* to organize a whole exhibition – which the students involved in the movement (*Slobodni filozofski*) actually did, in April 2010. The exhibition called *Jutarnji Attacks Again* includ-

ed around 30 chosen articles that clearly demonstrate the above stated agenda and their engagement in this “ideological war.”⁵⁷

It should also be mentioned that in this attempt to advocate for the commercialisation of education, the interests of EPH were again in the foreground, since they had been attempting to enter the higher education market for years. EPH offered to open the Journalist Academy in Split as part of the contract in the obscure purchase of the daily *Slobodna Dalmacija* in 2005. After a few years of negotiations and inactivity, the name was changed to Media University and was granted permission in 2009.⁵⁸ The permission was sold by EPH in 2012 under suspicious circumstances and the school is now a part of the newly formed public North University. The whole case has been anonymously reported to the Office for the Prevention of Corruption and Organized Crime and will probably be investigated further.⁵⁹

2.6

GOOD PRACTICES

The small steps made by the Agency for Electronic Media to improve their website, and hence to improve access to information, have to be recognized. However, further, more profound actions are needed to ensure ownership transparency.

2.7

CONCLUSIONS

A decade ago Stjepan Malović wrote about the media system in Croatia – meaning at the time when the new media legislation raised the expectations that transparency of media ownership in Croatia would increase. He pointed out that the main problem was that “the public does not know who the real owners of the media are” (Malović 2004). Unfortunately, the same could be claimed a decade later.

Nevertheless, some things have changed. While a decade ago the general foe of the quality independent media was the state, it can be argued that strong, commercial players are the main threat to media independence a decade later: the power is concentrated in the hands of a few actors who have penetrated so many social fields that they take key positions in the social networks. This makes the whole system dependent on them – as in the case of EPH and Agrokor – who have become untouchable. What makes commercial media more powerful is also that regardless of platform, all media with top audience reach are private: the press, web portals, national and local televisions, top radio stations.

A decade ago Malović (2004) urged the government to get rid of media ownership – something that has to a certain extent actualized: of the large, structurally important organisations in the field of media, the state owns the *Croatian Radiotelevision*, the Transmitters and Communications that provides professional services in the field of electronic communications, the public press agency *HINA*, and is a majority owner of the

printing house Vjesnik.⁶⁰ *HRT*, *HINA* and Vjesnik are all facing major financial difficulties and are undergoing restructuring with an unclear outcome. Put differently, the state/public ownership of the media has formally almost completely disappeared or is quite fragile, and with it the possibility to argue for and demand quality media that work in the interest of the public (i.e. the owners).

3. MEDIA FINANCES

It is now one decade since The Media Act which ensures transparency of media finances was passed. It obliges all media outlets and distributors to provide financial data to the Croatian Chamber of Economy (Article 34).⁶¹ However, public access to this data is not ensured, and moreover, *CCE* seems more inclined to point out their inability to meet requests for access than to change the conditions and try to meet the requirements.⁶² The *CCE* has in the last decade claimed that there are difficulties in the categorisation and data collection and inconsistencies in the Media Act which prevent both the media organisations and other interested parties from fulfilling the obligations stipulated. As an example, the way the average viewership is counted is not clearly defined, which makes the range of possible actions upon this request very wide and, of course, incomparable. However, in the mentioned period the *CCE* has not done much to change this, and it is during the process of developing the media strategy within the Ministry of Culture in the last two years that certain questions have been raised and changes initiated – however it remains to be seen what type of results will come out of it.

The *CCE* is in charge of the register of press outlets. Of the 865 registered newspapers and magazines, the *CCE* did not manage to reach 218 press outlets and they suspect that they are not active anymore, but due to the imprecise stipulations in the Media Act, the *CCE* cannot automatically erase them from records. Another problem is the lack of a classification of press outlets according to content which results in the fact that media organisations cannot consistently calculate their market share (average sold copies and advertising market) even though they are obliged to do so according to the Media Act. Thus a better methodology of data collection is urgently needed in order to be able to make some reliable conclusions about the press market.

Article 34 also stipulates that media organisations have to publish their financial data in their respective media,⁶³ but nobody monitors this. A short glance at the web sites of the biggest media operating in Croatia shows that in the case when some data is provided to the public, it is scarce, non-standardized, incomplete and not easily found. In addition, data that exists on web sites of some media outlets look more like advertising than reliable data.

A comparison of the data given by the CCE and the data given by particular press outlets on their websites shows that the circulation figures are arbitrary and regularly inflated by the media organisations compared to what they declare to the CCE and compared to the real figures. For example, Styria Media Group AG has the following data on their web site: the daily *Večernji list* has a readership of 562.400, while the number of sold copies is 96.806.⁶⁴ According to the data collected by CCE,⁶⁵ *Večernji list* has around 62,494 sold copies, and the question is what the real figures are and how these figures are reached. To sum up, this still remains an obscure, petrified area which makes it difficult to access the data needed to analyze the media markets in Croatia. Public regulators usually outsource this task: the commercial market research agencies Ipsos Puls, MediaHub and AGB Nielsen⁶⁶ conduct analyses of the television markets for the Electronic Media Council. Here, too, there were some difficulties as pointed out in the research, since most of the local and regional television channels do not meet technical standards that would enable collection of data on viewership – which severely limits the possibility of obtaining reliable data. As a result, commercial market agencies are most likely to have data on various markets, but access is subject to payment.

3.1 MAIN MODES OF FINANCING – STATE SUBSIDIES

The state still has an important role in financing the media in several ways: directly via funds such as the Fund for Pluralism dedicated to financing local and regional broadcast media, through programs developed within the Ministry of Culture or the National Foundation for Civil Society Development, through local government programs, but also indirectly via VAT policy, advertising and of course through the crucial role of ensuring public funding for public service media.

The media that benefit most from state funding (in addition to PSB media) are local and regional television and radio stations. The largest fund earmarked for these media in particular is the Fund for Pluralism regulated by the Electronic Media Act (Article 64) and the Croatian Radiotelevision Act (Article 35) which stipulates that 3 percent of the PSB monthly licence fee income has to be allocated to the Fund. The Fund allocates around 32 million kuna (approx. 4,180,600 euro) annually⁶⁷ (for radio and television, electronic media were only recently introduced, in 2013) via their tenders open to television and radio operating on local and regional levels, as well as audiovisual and radio programs of non-profit media (since 2013 the Fund is also open to online publications i.e. – news portals). The Fund only supports public interest content (explicitly not entertainment content, Article 64.3) as well as the employment of workers with higher education in these media. In this way, electronic media are partially financially supported by public funding regardless of their ownership structure (commercial, non-profit, public).

One of the most important problems in the area of local and regional television and radio is that many receivers of financial support through the Fund do not adhere to the proposed program plan based on which they obtained a broadcast licence and the financial support, and the monitoring of the media in this respect is not conducted consistently by the Agency for Electronic Media. The content analysis research on local television programs conducted by Ipsos Puls for the AEM clearly showed that they mainly included content that was not local at all. A large number of local television stations have less than 20 percent of local content which brings into question the justification not only of the funds allocated to these media, but also of their broadcast licences, since these are public assets. The same is obviously true for radio stations operating on the local level – this was clearly brought up in the focus group research:

... The Fund for Pluralism is nicely organized, however the large amounts of money they distribute, it is roughly 35, sometimes 40 million kuna annually – are not controlled. There is not one radio station in Croatia that does not steal the money allocated to it. The money comes from the PSB, hence from tax payers. So, facts – we give money to private [owners] – I am talking about commercial radio stations – ... in the case of electronic media there is a need for a more firm regulation ... but this is not done ... (focus group NPM).

Another type of support to local and regional electronic media is through advertising. According to the Electronic Media Act, state administrative bodies and legal entities predominantly owned by the state need to allocate annually 15 percent of the amount of advertising funds to local and regional television programs (EMA, Article 33). They need to report their activities to the regulator, the Electronic Media Council (EMC), by the end of March every year. However, if they do not fulfil this obligation, there are no repercussions since there are no enforcement measures given to the Electronic Media Council via EMA. In 2012, only 42 percent of state administrative bodies and legal entities predominantly owned by the state placed advertisements in the media. The amount allocated for advertising in 2012 was 4,356,746.65 kuna (approx. 569,178 euro) which is 5 percent less than in 2011 (4,585,246.47 kuna or 599,030 euro). According to the EMC, the legal entities who do advertise often spend less than 15 percent of their budget, and here too, there are no enforcement measures available to the EMC/AEM.⁶⁸

The new, previously mentioned financial support initiated by the Ministry of Culture aims at non-profit media. The 3 percent of the lottery funds which means around 3,000,000 kuna (approx. 392,000 euro) annually, was in 2013 distributed to fourteen media organisations (11 already established and three new).⁶⁹

3.2

MAIN MODES OF FINANCING – ADVERTISING

Even if the state has an important role in media financing, since most of the media in Croatia are commercial, advertising plays a huge role in the financial sustainability of the media.⁷⁰

Advertising has been declining since 2008. The fragmentation of the audiences as a consequence of technology changes and the proliferation of multiple channels makes the total sum of advertising expenditure divided into smaller pieces, so the amount is the same, but the number of potential beneficiaries is bigger.

Table 6 shows that advertising expenditure has been decreasing, creating problems for most of the media platforms, except the Internet, where the advertising income has increased compared to the previous years. Nevertheless, even if online advertising is on the rise, the total advertising expenditure is still the lowest compared to other media. Television still generates the highest advertising income, followed by the press, radio, out of home (outdoor advertising), and the Internet.

Table 6: ADVERTISING EXPENDITURE (NET AMOUNTS)

YEAR	TV	RADIO	PRESS	OOH (OUT OF HOME)	OTHER	INTERNET	TOTAL
2010 (IN MILLION KUNA)	770	213	545	151	20	36	1,735
2010 (APPROX. MILLION EURO)	100	27.83	71.20	19.70	2.60	4.70	226.70
2011 (MILLION KUNA)	765	190	457	140	15	83	1,650
2011 (APPROX. MILLION EURO)	99.94	24.80	59.70	18.29	1.96	10.84	215.56
2011 VS. 2010	-1%	-11%	-16%	-7%	-25%	131%	-5%
2012 (MILLION KUNA)	702	163	384	135	12	90	1484
2012 (APPROX. MILLION EURO)	91.70	21.30	50.16	17.64	1.57	11.75	193.87
2012 VS. 2011	-8%	-14%	-16%	-4%	-20%	8%	-10%

Source: MediaPuls, AGB Nielsen, Media agency HURA.⁷¹

The ten biggest advertising companies on the national television market are Agrokor, Henkel, T-HT, VIP, L'Oreal, Procter & Gamble, Podravka Grupa, Ferrero, Reckitt Benckiser, The Coca-Cola Company. As is evident from the list, the sector of consumer goods is the largest advertiser, followed by telecommunication and pharmaceutical industry, thus the media largely depend on them (Jelavić 2013).

In a liberal market economy in which advertising is the main source of income to the majority of the media, the public role of media is distorted, since the primary strategy that guides the media is to remain sustainable on the market. The connections among advertisers, the intermediaries (advertising agencies) and the media are structurally determined, and it is difficult to harmonize two goals – profit making and public interest. This is particularly worrying in the cases of small and/or critical media catering for a small niche which regularly have difficulties with attracting advertisers, and/or in cases where advertising power is limited to but a few companies, as the previously mentioned example of Agrokor shows. As one of the journalists in the focus group pointed out:

... The most absurd thing is that advertisers in Croatia function according to corrupt principles. Because it is not important how many clicks you get [on your website] – if you don't have a contract with Unex, you are out of money. You are forced to submit to a 'market' that does not respect the fact that someone is successful on the market. So you are stuck in a trap ... (focus group CM).

3.3 THE UNTOUCHABILITY OF LARGE MEDIA

Media are financed from a few sources depending on the ownership structure: advertising and sponsorship, state subsidies (various levels: local, regional, state), donations, product sales/circulation, and indirectly via VAT policies. The financial crisis in Croatia emerged not only as a result of the global crisis in 2008, but also as a result of social, political and economic processes that were part of the transition – which included incompetent policies and inefficient economic strategies accompanied by corruption on all levels. The media are in a difficult position since their sources of income have decreased on all levels. This creates problems in the whole media landscape, since one element in the structure can induce fatal changes in the whole structure. This co-dependence is especially dangerous in large media that control a considerable portion of the media market and employ a large number of journalists. Such a case is the current position of EPH – the financial crises has affected its business conduct, and financial risks linked to ventures in fields other than media has brought the concern to the verge of collapse. At the pre-bankruptcy settlement meeting (in February 2014) in which the financial plan and restructuring process was defined, the director of EPH Peter Walter Imberg addressed the creditors by saying that the voting that occurs is not only in order to save EPH, but to “... save 800 Croatian jobs, 800 Croatian families, but also democracy in Croatia”⁷² – a statement that in a simplified manner says it all. How this type of dependencies can “save democracy” is another question, but in this case democracy is, as so often observed in public discourses, a signifier used to justify many grotesque anomalies of our social system. When a private enterprise grows to such an extent, the state seems to be powerless. The printing house Vjesnik, predominantly owned by the state – which prints

almost all of EPH's press and consequently depends on EPH for 60 percent of its income – is currently in a pre-bankruptcy settlement. The state accepted the restructuring of the printing company *Vjesnik* and lowered the VAT for daily newspapers to five percent by which it loses around 24 million kuna annually (approx. 3,135,000 euro) while beneficiaries are commercial market players – in this case the main one is EPH (*Jutarnji list*, *Slobodna Dalmacija*, *Sportske novosti*). The extra profit of the dailies will mainly be used to return debts, hence the general public will not benefit in any way (in terms of better quality of the press) from this “favour” made by the state nor will it benefit from the previously mentioned pre-bankruptcy agreement by which the state had to write off a considerable part of EPH debts to the state i.e. the public.⁷³

3.4 GOOD PRACTICES

Media legislation obviously does not seem to affect much the media conduct in the Croatian media landscape, since its implementation is vague. It seems that carrot-and-stick approach manifested through indirect and direct media funding strategies developed by the state is much more effective. This is visible in the case of media self-regulation, i.e. the previously mentioned case of media statutes: for years the majority of media outlets ignored the clearly stipulated provision that media organisations had to have a statute. However, the situation abruptly changed once the statute was made the main requirement for the dailies if they wanted to be entitled to the lower VAT and for broadcast media applying for finances from the Fund for Pluralism. This indicates that similar mechanisms should be applied in other cases as well.

3.5 CONCLUSIONS

As visible from the above, advertising revenues and state budgets are reduced which creates an environment that is challenging for media. The imperative of media is to lower the production costs, which has a negative impact on content – this is particularly visible in broadcast media that often do not fulfil the obligations stated in their licence contracts. Both advertising and state subsidies create various kinds of media dependence on commercial and political actors, which has negative impacts on the way media operate and on their public function.

In addition, international donors that played an important role in the media landscape in Croatia in the nineties, now have a marginal role in the media sector financing. The case of *Feral Tribune* is a good example of the battle that independent media had to cope with in a post-socialist context, in which structural changes have had serious repercussions for the operation of media. In the early 2000s, when international organisations that

financially supported independent media withdrew from the region, the media were left at the mercy of the new rules of market competition that they could not possibly cope with. *Feral Tribune* closed down in 2008 – it was not killed by the regime, but eventually by financial difficulties caused by lawsuits and a boycott from advertisers. An indicator of its important role in the media landscape in Croatia is that as early as the nineties their investigative journalists disclosed numerous corruption cases that remained ignored for years and have been addressed only recently, or, to be more precise, much too late.

In the contemporary media landscape the critical voices and public interest advocates mainly come from small media enterprises to a large extent financed through the state budget from various programs of the Ministry of Culture. Such are the press outlets like *Zarez*, a biweekly magazine focusing on culture in a broad sense, *Le Monde Diplomatique*, refurbished in January 2013, a rare example of a press outlet covering international news and topics, and the weekly *Novosti*, financed through the state budget as a press outlet of the Serbian minority.

While one of the main values of a pluralist market economy is competition, diversity and individual choice, the question is whether the greater number of media outlets increases diversity and whether the newly available choices are viewed as relevant and recognized by the audiences. The current trend indicates the opposite – a uniformity of content due to commercial interests. Therefore, this twofold way of referring to the media – as public institutions that operate within a specific legislative framework, and as private/commercial businesses, creates a situation in which double and often incompatible standards are applied. Media financing is crucial for the sustainability of an organisation, and the public role of media cannot be fulfilled if the media content is treated as a commodity and journalists as producers of commodities ready for an exchange on the market.

4. THE PUBLIC SERVICE BROADCASTING IN CROATIA

The *Croatian Radiotelevision (HRT)* is currently facing a major crisis affecting its organisational structure, finances and programming. With the change of government at the end of 2011, new amendments were added to the Croatian Radiotelevision Act (CRTA) and a new management appointed, which was expected to initiate a process of serious restructuring of the institution in order to resolve accumulated problems. However, the expectations of a positive change were not met. Instead, old problems are still unresolved, and the few new changes that were initiated seem to bring about more confusion than resolution. The restructuring process is too slow and without a clear vision for the future.

The current Croatian Radiotelevision Act regulates the Public Service Broadcaster. It regulates the content and function of public service media, and the regulatory bodies in charge of it. The new CRTA that was passed at the end of 2010 introduced important changes in the operation of the PSB: a five-year contract between the PSB and the Croatian Government by which the program principles and the budget are defined (Article 13); a clear separation of public and commercial activities (public income are licence fees and EU funds, while commercial income includes commercial activities); the primetime advertising on general program channels (*HRT 1* and *HRT 2*) has been decreased from 9 minutes to 4, while advertising is completely banned on specialized program channels (*HRT 3* and *HRT 4*), which naturally decreased the annual income of the PSB.

The amendments introduced in 2012 (by the new “left” coalition) changed the management structure of the PSB – it was argued that the current CRTA was inefficient since many functions of its various bodies overlapped and thus hindered the necessary implementation of the provisions stated in the law. Thus, the new changes mainly concerned the organisational structure now consisting of four bodies⁷⁴ – the General Director, The Management Board, the Supervisory Board and the Program Council. With the changes, more power was allocated to the governing parties in the Parliament, which now directly appoints the General Director (and the majority members of the Management Board and the Program Council). At the same time, the position of the General Director was strengthened since he/she appoints all the editors in chief and the directors of the four organisational units, while the powers of the Program Council were diminished and transferred to the Supervisory Board, with the Program Council preserving only an advisory role.

The new organisational structure is obviously not functioning well. As previously mentioned, the General Director of *HRT* Goran Radman⁷⁵ appointed in October 2012, and supported by the governing parties from the Kukuriku Coalition, is still in position regardless of his involvement in numerous affairs.⁷⁶ This vividly shows that the ruling political parties solely decide on the management of the PSB. As one of the journalists employed at *HRT* puts it:

... Regarding the CRTA, it is scandalous that it is a unique act in Europe and probably in the world that places all the power in the hands of one person, and he becomes Almighty God who decides on everything. That is inadmissible, but unfortunately it has happened, and it is the result of this Government and their decision, we cannot change much here ... he decides on a large amount of money, and nobody can control him because the Supervisory Board is lacking two members, it is incomplete, and nobody cares about their opinion. He [General Director] simply came through political will, he is in a conflict of interests but nobody cares (focus group PSM).

The annual report submitted by the Program Council (PC) (for the period between 19 November 2012 and 31 December 2013) clearly shows that the communication between the Program Council (PC) and the Management Board (MB) is insufficient. According to the PC, they do not receive feedback on inputs and suggestions given to the MB. The PC also expressed dissatisfaction with the lack of transparency and timely submission of various materials and documents necessary for the PC to be able to fulfil its legal obligations.

The PC also pointed out that a commercialisation trend is visible, especially in the frequent appearance of formats such as sitcoms and soap opera, while quality television drama and movies were less present. According to the PC, HRT needs to initiate production of quality content. Special concerns were expressed regarding the television channel HTV 2, and radio channel HR 2 which did not have a clear public service agenda, while compliments were given to the specialized television channel HTV 3 and radio channel HR 3 for their quality content.

According to the PC, the ethical standards regarding the employees were inconsistent – while some breaches were radically and abruptly sanctioned, others did not produce any consequences for those who breached internal rules. It was also stated that some of the editors had excessive powers. The employees were not adequately engaged in projects – instead of using the internal resources of the institution, external foreign associates were frequently hired.⁷⁷

Since the instalment of the new General Director, the way of operating has included frequent change of duties, with the most recent (January 2014) being the dismissal of the Program Director Goran Rotim, who held that position for only eight months. So frequent are the changes that it is hard to keep up: some people resign, while others are removed from their positions. This is particularly true for the news and current affairs sections. Numerous current affairs programs have also been removed from the program, such as Spektra, Nulta točka, Horizonti etc.⁷⁸ The reason for this is not quite clear, but the consequences are surely an instable working environment that produces fear on the part of the employees, which has serious repercussions for the quality of programming, and thus for the audiences. As one of the employees argues:

... Politics imposes some persons upon the HTV ... in the last few years [but also previously] some people were thrust upon HTV without ever encountering television before except in their own homes ... we have a problem with the management, in the last few years eight editors in the news and current affairs program were replaced, in the last year five were replaced ... This network of functions ... no one knows who is responsible to whom ... (focus group PSM).

4.2

FINANCIAL CRISIS

HRT faces financial problems – at the end of 2012, the balance of accounts was negative: -28,935,850 kuna (-3,778,805 euro). The total income was 1,447,127,427 kuna (approx. 188,980,992 euro), but the expenditure reached the amount of 1,476,063,278 kuna (approx. 192,759,720 euro). The material costs (39.62 percent of the expenditure) and the personnel costs (31.49 percent) were the largest categories.⁷⁹ *HRT* has 3,390 employees and a huge number of external associates.⁸⁰ The licence fees make around 80 percent of the total income of *HRT*⁸¹ enabling a form of stability, but the advertising income is decreasing. In 2010 the income from advertising was 220 million kuna (approx. 28,729,891 euro), while in 2012 only 110 million kuna (approx. 14,364,945 euro).⁸² This is partially caused by the fact that the total amount of advertising in the media landscape has reduced, but also due to the fact that the audience share is declining. As mentioned above, the new Croatian Radiotelevision Act (2010) considerably reduced the number of minutes allowed for advertising. The advertising share of televisions with national licences is now distributed in the following way: *Nova TV* holds 45 percent of the total number of ads on the television market, followed by *RTL* with 33 percent, while *HRT* only holds 21 percent share.⁸³

Table 7 THE MAIN INCOME SOURCES OF THE CROATIAN RADIOTELEVISION IN 2012

SOURCE OF INCOME	AMOUNT (IN EURO)	SHARE IN THE REVENUE	SHARE IN THE TOTAL REVENUE*
LICENCE FEE	154.324.330.19	89.15%	81.66%
ADVERTISING	17.711.004.09	10.23%	9.37%
SOLD SATELLITE CARDS	1.068.698.39	0.62%	0.54%
TOTAL	173.104.032.80	100.00%	91.60%

Source: *Croatian Radiotelevision*.

Note: *The additional 8.40 percent is categorized as "other commercial income" (94,943,204 kuna which is approx. 12,398,672 euro or 6.56 percent) and "financial income" (26,634,900 kuna which is 3,478,263 euro or 1.84 percent).

The decrease in income from advertising is probably one of the reasons why the breaches of legislation conducted by *HRT* are mainly related to advertising stipulations. According to the annual report of the Electronic Media Council (EMC),⁸⁴ television operators received a total of 12 warnings based on their monitoring, of which 5 applied to *HRT*: three were linked to advertising (the extension of advertising time above the limit, marketing content or sponsorship that was not announced), one was connected to defamation, and one linked to biased reporting. Of the ten minor offence notices sent to the television operators, five concerned *HRT* – all five were linked to breaches concerning advertising, sponsorship and product placement.⁸⁵

Financial cuts suggested by the management seem to be made in the wrong places. The most recent case (January 2014) that provoked huge dissatisfaction in the public was linked to the plan to terminate 11 local⁸⁶ news correspondent desks in Croatia⁸⁷ by mid-2014. This will decrease the pluralism of sources and further centralize the PSB system. This is especially problematic because small regional news correspondents produce program that is not available on other commercial television channels with national reach, which gives the PSB a comparative advantage. This decision triggered numerous critiques coming from individuals and/or organisations

Branko Vukšić, the Head of the Parliamentary Committee on Information, Computerisation and the Media claims:

*Croatian Radiotelevision has to begin to operate in a rational way but that does not mean they have to abolish news correspondents because in such a case there is no reason for the Croatian Radio-television to exist – if it will only cover Zagreb and whatever is visible from its cathedral, and Split, Rijeka and Osijek. What about other places!? Why are they not covered in the programs of the Croatian Radiotelevision?*⁸⁸

In the official response given by HRT it was claimed that this was only a part of the restructuring process which includes numerous organisational changes. The aim is to “ensure efficient business conduct in order to limit the costs of operational activities to 95 percent of the total income, and to enable a sustainable development...”⁸⁹ As they claim, the activities of the local news correspondent offices will not be abolished, but the organisation of work will be improved and the positions will be offered to individuals capable of fulfilling tasks in compliance with new multimedia technology. This will, as they claim, not affect the quality of information offered on national, regional and local levels.⁹⁰

The statement given by the General Director in the central news bulletin *Dnevnik* was the following:

*The formal abolishment of news correspondent offices does not mean that our presence on the field will be abolished. We think that the Croatian Radiotelevision generates a very good and referent content with its presence, with news correspondence in the field across Croatia, and we will not only keep that, but will also attempt to enhance it.*⁹¹

It is not quite clear how they attempt to remain in the field if they formally abolished the news correspondents.

The way funds are allocated and distributed is non-transparent, and questions have frequently been raised concerning dubious contract award procedures and biddings, legal advice, tourist agency services etc. This problem particularly applies to the outsourcing of different projects, and non-transparent agreements on co-producers and independent producers. HRT is obliged to allocate 15 percent of the annual program budget for European audiovisual work of independent producers of which half of the budget has to

be allocated to domestic production (in Croatian language) (Article 11); this has been conducted in dubious ways – from extremely high expenses of particular contracts to the way the contracting applicants are chosen. At the same time, the internal staff resources are not adequately utilized, it can even be argued that they are slowly wrecked – this is especially applicable to the documentary program.

4.3

GOOD PRACTICES

The licence fee is charged to television and radio set owners and the amount is set as 1.5 percent of the average net salary in the previous year which means that the figure depends on the economic indicators in the country, even though it also means that everyone pays the same amount, regardless of the monthly income. In any case, this enables a financial stability of *HRT*. One positive example of the allocation of funds is the newly established television channel *HRT 3* specialized in culture (in a broad sense). Another example is the radio channel *HR 3*. Both significantly contribute to diversity of content offered by the media in Croatia.

4.4

CONCLUSIONS

The *Croatian Radiotelevision* is facing serious problems: organisational, programming, and financial. The process of restructuring is slow and the steps taken seem to have worsened the situation rather than resolving it. Constant changes in leading positions create chaos and instability that surely result in a sense of fear among the employees.

The legislative framework has strengthened the political control of *HRT*. The current case of the General Director clearly shows that political support enables leading figures to stay in position regardless of the evident breach of legislative provisions or incompetent actions. It also shows the persistent and continuous influence that political power has in the operation of *HRT*.

In order to cope with the competition, *HRT* has – to a certain extent and despite its public service role – resorted to mechanisms similar to those used by commercial TV (in terms of format change, trivialisation of content, sensationalism etc.). However, *HRT* is, as expected, in the lead in fulfilling the public role of media. The share of news programs in the total program of television channels with national reach shows that the PSB offers the highest percentage of news programs.⁹² Research shows that the coverage of civil society activities, children and youth, disabled people, retired citizens, national minorities, non-governmental organisations, asylum seekers, gender rights, sexual minorities rights – are most frequently covered by *HRT*.⁹³ Thus, *HRT* is an institution with a long tradition of quality production, and specific content that is not available elsewhere can be found there. It also has a stable financial frame (compared to other type of media) due to licence fees and should thus make use of it.

5.

JOURNALISTS

Journalism as a practice developed out of literary circles in the 19 century in Croatia. As a profession learned through formal education, it was first in the seventies that the first journalism study program entered the university. Journalism has always been closely tied to the domain of politics, and until a decade or two ago, journalism as a profession enjoyed a high social status since its role was closely connected to that of public intellectuals. Today, the status of this profession has eroded significantly. The explanation for this needs to be linked to complex changes in the social structure and various trends affecting the field of media productions. Some of the possible reasons are commercialisation and privatisation of media, which transform news and producers into commodities; unpreparedness of the journalists to cope with the fast changing conditions concerning their professional situation on the labour market; technological changes that have enabled a wider number of people to participate not only in news consumption but in production processes as well, which have changed the skill requirements in this profession; relatively short tradition of educational institutions specializing in the field of media and journalism. In short, while the position of journalists varies depending on media platform and position in the hierarchical structure, in general, being an average journalist in contemporary Croatia implies a precarious working position, with a low level of autonomy and engagement in production processes often reduced to technical skills.

5.1 PROFESSIONAL CAPACITIES OF JOURNALISM

As previously mentioned, the first journalism study program was offered at the Faculty of Political Science (University of Zagreb) established in 1971 (undergraduate and graduate level). The changes to the educational system and the introduction of Bologna principles along with the commercialisation of higher education initiated the emergence of several programs in journalism: the Department for Tourism and Communication Sciences (University of Zadar) established the program Journalism and Public Relations in 2007 (graduate level); the Journalism program (BA level) and Public Relations program (MA level) established in 2012 now forms a part of the North University in Koprivnica; and the privately owned University of Applied Sciences Vern (undergraduate level) launched in 2007. There are also shorter programs for journalist education such as the International Centre for Education of Journalists – ICEJ. The question is what kind of education and training enhances the professional conduct in media organisations? Namely, journalism is peculiar in that it requires concrete skills needed in the practical conduct in the working environment, as well as a broad knowledge based in social sciences and humanities that enables a wider understanding of different processes - social, political, economic, cultural – which guide stability

and change in society. This theoretical knowledge also enables journalists to situate themselves in the social structure, which is important in order for them to be able to critically evaluate their own position and to obtain a bird's eye view. While the latter type of knowledge is readily available at universities, it is questionable whether they can (and should) provide the skills necessary to master the fast changing conditions in the newsrooms and in that way offer market-ready journalists. Learning the skills was previously a part of the employment process, not the formal education process, however in a "market society" (Slater and Tonkiss, 2001) – in which the principles of the market dominate society and not, as previously, only the field of economy – the expectations from higher education institutions are changing. "Applicability", "flexibility", "efficiency" become the main signifiers. As one of the journalist participating in the focus group discussion put it:

[Today there is a demand for] *multipractic journalists, and idea that goes hand in hand with the idea of life-long learning, but [I am not thinking of it] as a positive idea, but as a constant adjustment to the demands of the market, adjustment to new working conditions* (focus group NPM).

The journalists participating in the focus group discussions all had a similar view on the (un)usefulness of formal journalist higher education. They claimed that formal education was not so important in order to be a good journalist, especially since formal education did not necessarily guarantee well educated people:

Some of the best journalist ever in Croatia don't have a diploma, so I think it is completely irrelevant, except for getting a better [employment] contract. I have a formal education in journalism, but after two days at work, I realized that I knew nothing (focus group CM).

This indicates the low quality and prestige of institutions offering journalist education in Croatia, even though there is a constant high interest for enrolment in this program.

The focus group participants pointed out that formal education was important in general for the quality of journalist practice, however the formal degree did not necessarily have to be in journalism.

I think that a faculty degree as such is good and important; in general ... education is surely important (focus group CM).

The journalists participating in the focus group discussions were asked to name up to five journalists they considered to be the top in the profession. They singled out 43 different names of which the majority appeared once or twice.⁹⁴ Four names received more than two "votes:" Ladislav Tomičić (4), working for the daily newspaper *Novi list*, Slavica Lukić (4), working for the daily newspaper *Jutarnji list*, Ilko Ćimić (3), working for the online news portal *Index.hr*, and Nataša Škaričić (3) working for the daily newspaper *Slobodna Dalmacija*.⁹⁵ It seems that formal training in journalism is not perceived as being relevant in order to be a good journalist, and perhaps formally receiving a diploma as the final stage

of studying is not that important, but the experience and knowledge gained in the process of studying in any field seem to be important for quality journalism.

5.2 PROFESSIONAL SELF-ORGANISATION OF JOURNALISTS

The most prominent and active association is the Croatian Journalists Association (CJA) that aims to fulfil the professional interests of journalists and ensure their material and social protection. They have a Code of Honour and the strongest measure is a moral condemnation for its violation. The data available from the CJA regarding their membership shows that at the end of 2012, they had 2,797 members, which means that around 50 percent of the total numbers of journalists in Croatia are members of CJA. More than 65 percent of the members have a university degree (BA, MA, and PhD), while around 1000 members have only secondary level education. The membership structure also shows that middle-aged members are in the majority – the average age is 52.

A comparison with 2009 when CJA had 3,185 members shows that the membership has been decreasing. The evaluation of the work of the CJA by the journalists participating in the focus group discussions may explain the reasons. They all pointed out that the activities of the CJA were not sufficient. It was heavily criticized for being inert, playing by the rules of the powerful, and always compromising between different political and economic interest groups. It was also claimed that it only managed to involve retired journalists while its current leaders have done nothing to attract young people to the association. The actions they organize were claimed to be of little use – since they were reduced to writing and publishing of notices. They did not react sufficiently to the breach of ethical standards, and the people leading the association were seen as keeping a cosy position in pursuit of their self-interests and benefits and engaging in a type of “politics of compromise,” instead of being more active in the creation of media policy. It was also suggested that people with more energy should lead the CJA.

However, the current president of the CJA, Zdenko Duka, points out the importance of the organisation and evaluates the role of the association in the Croatian context in the following way:

We are talking about 23 years, and I think that it had a significant role during the whole period. In the first decade, it managed to protect the profession in the period when it was hard, because there was a lot of political pressure. I think that the association was led by people whose priority was the preservation of the profession in all periods. There are few countries, especially in the area of ex-Yugoslavia, that have such an association. CJU was established in 1990, followed by the foundation of the journalist union. This is the only association where there were no political fragmentations. ... it had an educational role during one period through ICEJ, but I have to admit this is bygone. Besides the Journalists Honour Council

within the CJA, the only self-regulatory body is the Croatian Media Council established two years ago. This is the only place where one can file a complaint regarding journalists' conduct, and where every admonition, every complaint is reviewed ... So, the role is significant.

Regardless of the critiques by the focus group participants, the CJA has continuously been the most publicly visible association concerned with the media in Croatia. It is concerned with professional standards, and is the only institution that overlooks journalists' ethical performance.

While CJA ensures visibility of issues concerning the profession, the articulation of problems does not necessarily result in their solutions, thus a more firm and dynamic approach would be needed in order to be able to deal with relations and practices which lower journalistic professional standards.

The Croatian Media Council (CMC) was established at the end of 2011. It is a self-regulatory mechanism that aims at the enhancement of media performance in Croatia. It monitors and sanctions the breach of journalist ethics. It consists of eight representatives of the CJA and eight representatives of large media organisations and associations.⁹⁶ Thus, the idea is to bring both representatives of employers and employees to the table. However, while any form of defence of journalistic professional standards is welcome, it is unclear how they will differ from the CJA's Journalists Honour Council, since the cases of breach only apply to the members of the CMC, who must publish a notice in their respective media in such cases. For now, its performance still seems to be weak, and the question is whether it will survive at all. One of the problems is that the members are employed elsewhere and their engagement is voluntary. Considering the tasks ahead of the CMC, it urges for a full-time engagement.

5.3 JOB SECURITY AND WAGES

The 2011 census shows that there are 4,923 employed journalists – however this figure includes all types of employment. On the other hand, there is no reliable data on the number of journalists working for particular types of media or on the position they occupy in the hierarchical structure of an organisation, nor reliable data on public relation journalism. The Croatian Public Relation Association estimates that the 700 members of the association make around 90 percent of experts working in public relations, of which 30-40 percent are former journalists. There is also no reliable and transparent data on the wages of journalists and editors in Croatia, but the differences between the wages of top editors and journalists of big media outlets and those of other editors and journalists are large. According to the investigative portal *index.hr*, the highest wage in the press daily *Jutarnji list*, which is a part of the EPH concern, is that of the deputy editor in chief and

amounts to 69,401.25 kuna (approx. 9,066.74 euro) while the editor in chief has 53,901.25 kuna (approx. 7,041.78 euro).⁹⁷

The unemployment rate among journalists has considerably increased, especially since 2010. According to the data of the Croatian Employment Service, the number of unemployed journalists in 2013 was 729 (Table 8). This poses the question as to why new private and public journalism programs are given green light, when the labour market is obviously satiated and the current cuts of the budget in the field of higher education create difficulties in the implementation of all the currently running programs.

Table 8 UNEMPLOYED JOURNALISTS 2004-2013

YEAR	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
TOTAL NUMBER OF UNEMPLOYED JOURNALISTS	236	251	271	256	218	264	385	491	599	729

Source: Croatian Employment Service.

The Croatian Journalists Union⁹⁸ (CJU) was founded in 1990. According to their website,⁹⁹ they estimate the number of journalists to be approximately 4000 of which around 70 percent are members of the CJU. They have 11 collective agreements signed with media organisations but the main organizing principle is to form union branches within media organisations – there are 74 branches, and they also have individual members in almost all media.¹⁰⁰ CJU is trying to reach a collective agreement for journalists and media workers on a national level, in order to protect all workers, especially the ones working in small local media as well as precarious part-time associates. They give free of charge legal advice in labour disputes between media owners and journalists. They have raised issues on the worsening of the position of journalists in Croatia who are increasingly subjected to precarious work, with short term contracts that constantly keep them in a position of fear and insecurity.

A particular problem is the so-called RPO (Registar poreznih obveznika/ Register of taxpayers) contracts concluded between media organisations and “self-employed” journalists that include obligations similar to those of regular employees, in terms of exclusivity, regular attendance in the office etc., while their rights and security of position are diminished.¹⁰¹ This type of contract also enables tax evasion on the part of media owners, and in the long run creates an insecure, precarious position of journalists on the labour market. According to some estimates, there are at least 400 journalists in the Register, while the state loses 20 million kuna (approx. 2,612,857 euro) annually.¹⁰² This has serious repercussions for the quality of journalists’ work and media performance in general.

5.4

HIERARCHICAL STRUCTURES AND RELATIONS

Even though the Media Act stipulates that all media outlets are required to have a Statute that regulates the relations between media proprietor, editor in chief and journalists, this was completely ignored by media proprietors for years. It was only when the Government “blackmailed” press media proprietors by demanding that media organisations had to have a statute in order to reduce VAT to 5 percent, and the statute became a necessary condition for eligibility to apply for the Fund for Pluralism support, that a hyper-production of Statutes began. Predictably, this does not necessarily imply that the provisions are meant to be followed. According to the experience of the focus group members, there were considerable problems in the processes of enactment within some media organisations.¹⁰³

The [new] VAT act initiated the adoption of Statutes. It was enacted ... I don't even know when it was enacted for the first time, but nobody did anything. Then, when it finally arrived, due to money matters ... in [the media organisation] 24 sata, nobody said a word, nobody did anything. And then comes Friday, the last deadline. They [the journalists] came to work and were told to vote for the Statute. So, some colleagues said 'well I have no clue about the content of the Statute, how can I vote for it? And the answer was 'go to the secretary and have a look'. So, one of my colleagues went to the secretary, who said that she was not allowed to show it to anyone. Then, some of the journalists expressed dissatisfaction and claimed that perhaps this was not right. At the same time, that same day, people were dismissed so there was a fuss about that, and then at some point we had to vote. The majority voted for it ... it passed, and the formal conditions were fulfilled. Nobody still knows what is written in the Statute, nor if it will ever concern them. So, any type of media regulation is an empty story when the practice is completely different (focus group NPM).

A statute should be adopted in every newsroom, the relationships would be much more ordered ... I think it would enhance quality journalism ... but in commercial media ... but I know that in our organisation [Nova TV], concretely, any attempt to establish something like this is smothered. The same goes for union organizing (focus group CM).

As visible from the examples above, there seems to be a sharp division between managerial and editorial staff and journalists within media organisations. In the focus group discussions editors were depicted as figures that were often professionally incompetent and worked in the interest of the owner and/or other powerful actors, juxtaposed against conventional professional standards. The incompetence of editors was, among other things, viewed as a result of the fact that (before the already mentioned changes in the regulation of statutes within media organisations) journalists did not have an impact on the election of editors. The above mentioned problems were especially linked to corporate media, in which journalists that demanded their rights and were more apt to protest, were frequently marginalized. However, public service media, especially television, were also

criticized in this respect, while the only type of media that was excluded from this pattern was civil society media.

Surely, this type of hierarchical relations depends on several key factors such as the source of income which defines the function and aim of the media (public, private or civil society media), the size of the media organisation (smaller media outlets are more likely to have a more horizontal organisational structure), and the type of media platform (television, press, internet, radio).

5.5 STRUCTURAL RELATIONS DISTORTING COMMUNICATION: INDIRECT SILENCING OF JOURNALISTS

In the contemporary media landscape new, more covert modes of silencing are present. In a context in which commercial media depend on advertisers, there is naturally a limit to what can be published, firstly because advertisers do not want to be negatively depicted in the media, and secondly they don't want their product to be situated in any type of unfavourable context. In the focus group discussions, the large advertising agencies were depicted as the main source of pressure on commercial press and television platforms – which are, consequently, most (self)censored. According to their testimonies, the advertisers and their marketing agencies overtly threaten to withdraw their ads if something they consider inconvenient is published, while the media engage in self-censoring practices in order to keep the profit running.

Another new trend that has considerably changed journalist practices and represents a way of distorting communication in the interest of the public derives from the emergence of public relation communications, since it includes prepared, controlled and usually written materials and diminishes the possibility of engaging in oral, direct communication. In the focus group discussions this problem was particularly associated with the field of political communication where the materials were often published intact, without questioning their content.

An important point made in the focus group discussion was the distortion of information through information trading. This takes place on two levels – the first, more subtle, manifests itself in practices in which politicians are treated as a reliable source of information without questioning their statements, and the second, more direct level is one where journalists are bribed by powerful actors in order to write and frame a story in a particular way. It was also pointed out that journalists, especially those covering the area of economy, were often indirectly bribed through gifts, suppers, travels etc. On a broader level it was pointed out that the media engaged in a form of “racketeering” – where media owners and editors negotiate and trade information depending on current particular interests as a way to defame competitive interest groups.

Naturally, such an environment is not favourable for the flourishing of investigative journalism; firstly because this sort of journalistic practice requires considerable time and financial stability, and secondly because the topics elaborated - such as high level corruption, crime etc. - are attempted to be covered up, rather than disclosed to the public. Thus, investigative articles that target the sources of power are most likely to be published in online media (h-alter.org, index.hr, lupiga.com etc.) or in non-commercial press outlets (*Novosti*). One of the problems that emerge here, which was raised by the CJA, is the provisions in the Penal Code, by which insult, shame and libel are penalized. This restriction results in self-censorship of journalists, because even truthful information is easily penalized, and also because media proprietors often refuse to cover the legal expenses and the compensations in the case of lost lawsuits, which is a quite new practice.¹⁰⁴

This problem was also pointed out in the focus group discussions – several examples were given in which individual journalists or whole media organisations were destroyed financially for the above mentioned reasons. It was suggested that a fund for legal help for journalists not protected by a media organisation needs to be established. It was also pointed out that a change in legislation was necessary, one that would ensure that journalists will receive financial compensation in cases where the information published was proved to be right eventually (even in a later stage). Big corporative media were pointed out as positive in this respect, since they had strong legal teams at the disposal of employed journalists, while smaller media – which were often much more critical and thus more inclined to publish such content – did not have this legal background.

5.6

GOOD PRACTICES

While the overall crisis of the profession has produced many problems, one good outcome is that it seems to have managed to homogenize journalists to a certain extent. One rather unexpected sign of solidarity among media outlets was clearly visible in a case when all media decided to boycott the press conference of the initiative “In the Name of the Family.” The initiators of the referendum banned several media from accessing their headquarters on the day of the referendum (1 December 2013), which was condemned by the Croatian Journalists Association who invited all the media to boycott their press conference after the referendum – and they did. Another positive indicator is the start-up of many new civil society media projects (non-profit media), initiatives that are now, at least to a small extent, supported by the state.

5.7

CONCLUSIONS

The journalism profession is changing. On the one hand, journalists are increasingly subjected to precarious work, with short term contracts that keep them in a constant

position of fear and insecurity. This has serious repercussions for the quality of journalist work and media performance in general. On the other, they too often uncritically engage in social practices that further perpetuate their unfavourable status. Thus, the education of journalist should aim to develop critical and analytical abilities, while the professional organisations should invent mechanisms to enhance solidarity and homogeneity of the members. Unfortunately, the trends point in the opposite direction.

6. MEDIA AND JOURNALISTIC PRACTICES

New contemporary trends - such as fast technological developments, audience fragmentation, hyper-commercialisation, make the media landscape, and consequently media practices, elusive and shifting.

Perhaps the most important changes, including media privatisation and commercialisation, have most severely changed media practices. In a complex constellation, media production is driven by profit interests and sustainability of media outlets that find expression in the battle for audiences and advertisers. In this respect, independent, alternative and critical discourses are hard to maintain. Instead, light entertainment in the form of tabloids, infotainment, celebrities and the spectacle are the main narrative forms of contemporary media. In addition, violent narratives, representation of crime and the emphasis on risk and insecurity permeate the dominant media. This low level of performance is often justified by producers with the simplified “argument” that they “only give the audience what they want.”

6.1 IDENTIFIED ETHICAL BREACHES IN THE MEDIA

Breaches of legislative provisions stipulated in the Electronic Media Act are monitored by the Electronic Media Council (EMC). In 2012 they received and processed 145 cases of citizens' complaints¹⁰⁵ and based on these cases, the EMC issued 60 caveats in 2012.¹⁰⁶ The major breaches concerned advertising and sponsorship that were not in accordance with the legal provisions in the Electronic Media Act (22 cases). Several cases concerned the program scheme, based on which the licences were given, that were not properly implemented (13 cases).¹⁰⁷ In addition, twelve cases concerned the protection of minors, as the most vulnerable population. Finally, seven cases were related to hate speech, while the rest (six) were linked to the mode of reporting (human dignity, balanced reporting, unbiased reporting, truthful reporting). Thus, more than half of the cases of breach were directly (ads) or indirectly (licence contract breach) motivated by profit, while the other cases were indicators of unprofessional modes of conduct.

Breach of professional ethics is in the domain of the Croatian Journalists Association. In the period between January and October, 2012¹⁰⁸ the Journalists Honour Council (JHC) within the CJA received 80 cases of complaints, of which more than half (41) were dismissed as ungrounded. As they claim, this is an indicator that people submitting the reports lack sufficient knowledge about journalism ethics in general.

Of the 39 cases,¹⁰⁹ the majority were related to modes of reporting that included biased reporting, inaccurate reporting, defamation and sensationalism. Other cases concerned the breach of children's rights,¹¹⁰ privacy right and authorial rights. Two negative trends were identified in the report: covert advertising and a continuation of breach of the provision regarding right-to-reply.¹¹¹ More than half of them aimed at editors, which the JHC claimed to be the actors most responsible for the adverse state of journalism ethics in the Croatian media.

6.1.1

CASE 1: INSTIGATION ON THE WEB

Misconduct and breach of professional standards by editors and journalists are quite common on the web portal *Dnevno.hr* established in 2010. The coverage frequently includes attacks, insults, instigations and even hate speech aimed at social actors of different ideological positions.¹¹² Their attack is aimed not only at different minorities such as sexual minorities, Serbs, Jews etc., but also at individuals and organisations that they view as their opposition. The portal has on several occasions been warned by other media outlets and by the Croatian Journalists Association for ethical breach. Interestingly, although being extreme right positioned, the portal *Dnevno.hr* has also been established in Serbia and Bosnia and Hercegovina. They all have the same logo and write in the same instigating style. The Croatian Journalists Association warned them several times during the year, and demanded that they should apply professional journalist standards in their mode of operation.¹¹³ One of their reactions concerned the “fascistic and insulting texts” entitled “In the land of Catholics four main officials are not baptized – Croatia is the land of apes?” They stated that “the desirable type of politician in Croatia is a non-Croat, unbeliever and ape” - aiming at the president, the prime minister and two other ministers.

6.1.2

CASE 2: MEDIA AND THE FIELD OF POLITICS

Politics as a specific social domain is the most covered field in the media.¹¹⁴ The media in Croatia carry some characteristics of what Hallin and Mancini (2004) label “the polarized-pluralist model” in that the media outlets can be divided according to party politics and ideological positions. This divisions were clearly visible in the already mentioned case when the initiative In the Name of the Family, led by Željka Markić and supported by rigid conservative political actors, especially the Catholic Church, pushed for a referendum

on the question of whether the definition of marriage as a union between man and woman should be implemented in the Croatian constitution. This was a way to further petrify the already limited rights of sexual minorities. The media labelled it “the referendum that divided Croatia” and it was for days the main topic in the public debates. On the day of the referendum (1 December 2013) the initiative banned some media from attending their press conference since the “media coverage of the referendum was unprofessional” (i.e. against the suggested change in the Constitution). This “selection” of media outlets reflected the division between the liberal and the conservative – the media that were banned were the *Croatian Radiotelevision*, all EPH press outlets, the daily *Novi list*, and the portals *index.hr*, *t-portal* and *net.hr*. These are, of course, the media with relatively high audience reach, which is why they were explicitly targeted (there are numerous other media that could be in this category as well). In the search for left-positioned media with a more radical discourse, one has to look hard in the Croatian media landscape since they seem to have vanished with the dissolution of the socialist political system. A few portals, one weekly, and one monthly with very small reach are the only few ones left.

6.1.3 CASE 3: SENSATIONALISM, TRIVIALISATION AND NECROPHILIA

The “dumbing down” of media content is clearly visible in all the media regardless of the type of platform. Sensationalist reporting, tabloidisation, scandal, crime, celebrity, entertainment and advertising are the signifiers that best describe the media content in contemporary Croatia, regardless of the platform.

One of the perhaps most disturbing changes visible in the media is the growing number of crime and disaster stories in which ethics is completely erased from the *modus operandi* of the media. One case in point was the death of Dolores Lambaša – a 32 year old Croatian actress who died in a car accident on 23 October 2013. The media coverage stirred heated public debate about media and ethics. Namely, all the media covered the news of her death as top news, but the information provided did not only concern facts about the car accident, but also included sensationalist reporting and morbid details about the accident as well as details of her private life (such as SMS and Facebook messages, disturbing photos from the place of the accident etc.). Instead of protecting the dignity of people that are protagonists of such tragic events, the media usually choose to exploit this in order to attract the audiences.

This example was also frequently mentioned in the focus group discussions with journalists who were asked to point out what they considered to be a case in point of ethical breach in Croatian media. The most frequently mentioned cases were linked to the exploitation of death, illness, and crime as a way to attract the audiences regardless of the con-

sequences for those involved. The case of Dolores Lambaša was mentioned several times and described in the following way:

...*We are supposed to be a serious news portal [t-portal], but when Dolores Lambaša died, we raised the number of clicks by [exploiting] her tragedy – we put her on the main page. This should not happen! Of course it deserves an important place [on the site] but it cannot take the main position in a supposedly serious media – a tragic accident of an actress! ... Everyone reported it as top news, but it is wrong. And then, I got some emails, that some people celebrated in their news rooms – ‘wow, so many clicks – we will beat the record!’ We cease to be humans in that moment. It does not matter [who it is] Dolores Lambaša or Zoran Milanović [the Prime Minister]! I don’t care. The person is dead. I cannot celebrate the number of clicks based on someone’s death* (focus group CM).

6.2

GOOD PRACTICES

A positive example is the *Croatian Radiotelevision* third program launched in 2012, that offers different, quality content completely free of advertising. *Novosti* is also an interesting case emerging as a weekly newspaper of the Serbian minority financed through the state budget which gathered some of the sharp and critically inclined journalists previously working for the weekly *Feral Tribune* that was closed down in 2008 due to financial issues (VAT debts, constant lawsuits). *Zarez*, a biweekly, and the monthly *Le Monde Diplomatique* are examples of quality press, albeit specialized in specific social domains. In the last decade, web portals that are either initiated by civil society associations (like *H-Alter*) or are privately owned (such as *Index.hr*) have been emerging; they are also contributing to the media landscape in Croatia. The already mentioned public radio station *HR3* provides quality news and information programs while the internet radio *808* and the local *Radio Student* provide alternative content in terms of music and thus enhance pluralism of content in the Croatian media landscape.

6.3

CONCLUSIONS

There is no broadsheet newspaper in Croatia any more, since the only one – the daily *Vjesnik* – faced bankruptcy and was shut down in 2012, as a decision of the Government. The leading daily, *24 sata*, is a tabloid, and *Večernji list* and *Jutarnji list* are half-tabloids. Media content and form has changed, especially in the last decade, and includes sensationalist reporting, crime stories, celebrity coverage, and advertising to a large extent.¹¹⁵ Academic research shows that professional standards in the media are low.¹¹⁶

In terms of viewership and visibility, commercial large mainstream media dominate the media landscape. It is quite clear that the mentioned examples of media outlets that provide quality content and fulfil the public role of the media, mainly have the privilege

not to depend on advertisers and the market – thus the structural position of media will to a certain extent determine what type of content they provide. Obviously, constant battles for profit and financial sustainability set aside the public interests that are crucial for quality journalism, i.e. content that the media, as important social institutions are obliged to guarantee to the audiences.

Having in mind the dominant content in the Croatian media, it is not surprising (and is perhaps even comforting to know) that according to the marketing research agency GfK,¹¹⁷ in 2012 only 18 percent of the population trusted the media, while 60 percent did not trust the media. The average grade given to this institution on a scale from one to seven was 3.1.

This complex and fast changing environment forces the actors involved in the media practices to simultaneously juggle multiple challenges on various levels, which consequently lowers the ethical norms of the profession and diminishes the democratic role of the media.

7

GENERAL CONCLUSIONS

The change of the political system in the early nineties and the introduction of market competition still have noticeable repercussions for the performance of the media in Croatia. Along with the frequent adjustment to European regulation, the media landscape is still struggling with problems linked to path dependent issues associated with the transition. This, most notably, included the processes by which former state-controlled media were transformed to public media, or alternatively subjugated to the rules of the market. The “polarized-pluralist countries” – the term referring to the Mediterranean countries in south Europe, as identified by Hallin and Mancini (2004) – show some similarities that are applicable to South East European media systems as well, and they point to endurable social structures and cultural peculiarities that are not easily moulded by media policy regulation and mechanisms imported in accordance with European standards. It also points to the various external aspects relevant to media systems, such as the size of the market, economic figures and standards, the rate of literacy (not to mention media literacy), political culture, the functioning of political institutions etc.

While some characteristics seem to be endurable in time, it is also true that the profound changes that have been introduced affect the media system and its mode of operation in a way that perpetuates the existence of a “grey zone” of conduct, which enables corruptive practices to flourish. This also makes the analysis of the media system extremely complex, since the nature of the object/structure analyzed is frequently in flux. Change seems to be constant: frequent legislative and rule changes (different programs, funding rules etc.), technology changes and adjustments, restructuring of media organisations

(especially in the case of PSB media), changes of staff in the regulatory bodies and leading positions in large media organisations, the emergence and disappearance of media, and changes in the ownership structure – all of which makes it extremely difficult to monitor this field and to grasp it as a system in which all the elements should be brought together in order to be able to make sense of it.

Some problems can be tied to the peculiarities of the post-socialist region, while others can be viewed as much broader trends that have swept across Europe in the last few decades, such as the retreat of the welfare state and cutbacks in the public sector, commercialisation, concentration of power, lack of political participation, and – directly regarding the media (including mass media) – the dumbing down of content, tabloidisation, trivialisation, domination of crime and violence, rise of celebrity culture, the centrality of image and branding in communication.

The main problem visible in the media landscape is the proliferation of commercial media that are first and foremost defined as market players while their public role is pushed aside. This results in the “dumbing down” of media content as the main concern is financial sustainability and profit. The advertising industry has become the major fuel for the media industry, a factor that, to a large extent, shapes the type of content created for the audiences viewed as a market niche. This has structurally affected the whole media landscape, including public and community media competing for the audiences. It also affects the role of the media to provide spaces of debates. Censorship and self-censorship guide the media organisations’ editorial policies, embedded in a complex setting of profit interests, sustainability of media outlets and connections with the political and economic power structures. In this respect, independent, alternative and critical discourses are hard to maintain. In addition, the concentration of economic power in the hands of a few actors, which may or may not be directly linked to media production, enables them to remain untouchable. These trends are dangerous for the system as a whole, since the stability of the social system largely depends on them.

It urges us to think of a model in which news media would be clearly separated from other types of organisations on the market, and treated as institutions of public good rather than a commodity. Thus, more profound changes, not only in the media landscape but wider structural changes, are needed in order to cope with the problems that plague contemporary societies – it urges for the invention of a quite different system.

MEDIA POLICY

- (1) A new Media Act should be formulated, since the current law has several setbacks.
 - It applies to all media in one part, and specifically to the press in the other. However, this distinction is often blurred and it requires a careful reading to estimate what applies to the press and what applies to all media, so these ambiguities should be eliminated and the provisions clearly defined.
 - The Media Act stipulates that the institution managing the Register of press media outlets and distributors in Croatia is the Croatian Chamber of Economy (CCE) - an independent professional organisation with compulsory membership of every company registered with the Commercial Court. This institution should not be in charge of the Register, nor should the print media be separated from other type of media. Rather, they should be integrated and be the purview of one regulatory body that would be in charge of all news media – television, radio, web portals, and the press.
 - All media outlets are obliged to provide the CCE with data on media ownership and this data has to be published in the *Official Gazette* annually. However, the data is only searchable for individual media outlets and since there is no special issue published by the *Official Gazette* that would include all the annual changes, this search is complex and long-lasting. The data should be more easily available to interested parties.
 - A new Media Act should include a provision that enables the regulator to erase from the Register the media that do not fulfil the provisions stipulated in the Media Act and do not respond to requests to do so (within a reasonable deadline).
 - The annual financial data that media organisations have to submit to the CCE and publish in their own media are meagre, un-standardized, incomplete and not easily found. The regulatory body should define a standardized form that would be easily accessible via the web sites of all the media outlets.
- (2) The capacities of the regulatory bodies should be strengthened in order for them to be able to monitor the media landscape in accordance with legislation. They should also connect more with public research institutions in performing these tasks.
- (3) The work of the regulatory bodies should be more carefully monitored and they should be held liable in the case of breach and/or inefficiency.
- (4) The conduct of media owners should be consistently monitored and, in the case of breach of the rules, penalized in accordance with the legislative provisions.

- (5) Commercial actors that indirectly influence media operations such as advertisers, marketing agencies, public relations agencies, as well as banks involved in media business should become a part of regulatory provisions in a way that limits their impact.

MEDIA OWNERSHIP

- (1) Further limits on media concentration (including vertical and horizontal) should be introduced.
- (2) Clear and consistent database on ownership structure should be provided on the web page of the regulator, with a user-friendly interface for easy access and identification of connected persons.
- (3) News media should be granted specific status (differentiating them from other organisations operating on the market) tied to restrictions on the broadening of ownership to the fields other than media-related (news media cannot be just another commodity).

MEDIA FINANCES

- (1) The Fund for Pluralism should be restructured and all news media should be enabled to apply for resources, regardless of the platform (as long as they produce public service content).
- (2) More sustainability programs should be set up for non-profit media, not only in terms of direct funding but also organisational support (premises etc.).
- (3) Higher VAT rate should be applicable to entertainment content in news media.

PUBLIC SERVICE BROADCASTING

- (1) The transparency of the PSB finances and programming should be ensured. All relevant documents should be available on their website.
- (2) Expenses of the PSB should be streamlined but in a way that would not affect the public role of the PSB in ensuring quality content.
- (3) News programs should be improved; these should not mimic commercial television but insist on news according to professional standards rather than pursuing audience share goals (more international news, less soft news etc.)

JOURNALISTS

- (1) The head of the newly established Press Council should be full-time employed; voluntary work is inadequate because it may affect the order of priorities.
- (2) The Croatian Journalist Association (CJA) should make the membership more restricted in the sense that being a member implies that ethical standards are followed. A

breach of professional standards should be penalized. Homogenisation of journalists via different mechanisms should be one of the tasks of the CJA.

- (3) Legal support should be provided to journalists who do not have this type of support through a media organisation.

MEDIA AND JOURNALISTIC PRACTICES

- (1) Media practices and content should be consistently monitored by a public research institution (clearly defined methodology, consistent monitoring and creating an archive) financed by the Ministry of Culture/State, in order to be able to allocate funds from the budget to media that operate in accordance with their public role.

ENDNOTES

- 1 The focus group discussions were conducted during November 2013, in the premises of the Centre for Investigative Journalism in Zagreb, Croatia. The focus groups were loosely organized according to type of media for which the participants worked: 1. small critically oriented media (mainly but not limited to non-profit media – *NPM*), 2. commercial media (*CM*), and 3. public service media (*PSM*). However, two limitations to a strict categorisation into the above mentioned groups need to be pointed out: one arises from the fact that journalists are increasingly subjected to precarious work, with short term contracts that keep them in a constant position of insecurity (or to use a euphemism, they work under “flexible conditions”) and the overall changes in the labour market - migration of journalists from one media organisation to another is common; the other is related to the fact that the number of freelance journalists who simultaneously cooperate with several media organisations is increasing. The first focus group discussion (*NPM*) conducted on 9 November 2013, included seven participants (two females, five males); the second focus group (*CM*) conducted on 22 November 2013, included six participants (one male, five females); the third focus group discussion (*PSM*) conducted on 26 November 2013, included five participants (three females, two males). Prior to the discussion, the participants filled a short questionnaire including data on age, education, specialisation in journalism studies, professional status, media organisation affiliations, membership in professional associations, length of working experience, and a list of specialisation topics. They were also asked to name five journalists in Croatia they regarded as top professional and to give examples of breach in ethics regarding journalism. The topics covered in the focus group discussion broadly focused on the following issues: evaluation of the contemporary media landscape in Croatia; ethics in journalism (internal aspects), media practices in a wider social context (external influences), media and the state/policy regulation and media content.
- 2 The current Head of the Media Department at the Ministry of Culture, Milan Živković (*SDP*); the former State Secretary responsible for media at the Ministry of Culture during the reign of HDZ, Nina Obuljen Koržinek; media expert and Associate Professor at the University Center for Croatian Studies, Nada Zgrabljić Rotar; the President of the Croatian Journalists Association, Zdenko Duka.
- 3 Attempts were made to conduct an interview with the Director General of *HRT* Goran Radman, or with the Program Director Marija Nemčić, but the Director General did not respond to our calls, while the Program Director first required to review the questions in advance, but then, upon receiving them, directed us to contact the PR department.
- 4 “Left” is here in quotes since political orientations are contextual. The research carried out by Henjak (2005) shows that ideological positioning of the “left” and the “right” in Croatia is first and foremost defined by traditional values, the attitude towards the Catholic church, visions about gender roles and national minorities. Accordingly, people with traditional values, with a positive attitude towards the Catholic Church, intolerant towards ethnic minorities, and with a conservative view on the role of women, identify themselves as “right-leaning.” The opposite is true for “left-leaning.” The economy, as the research showed, did not turn out as relevant in this respect. Hence, it is obvious that the division between “left” and “right” has less to do with classes and/or the economy and more to do with identity politics. Thus, in the assessment of political positioning, a divisions between conservative and liberal is more applicable, since identity politics – including ethnic minorities, women’s rights, LGBT rights – is what differentiate political actors, otherwise there is not a substantial difference between them – and this division is applicable to the majority of the electorate, the political parties and the media.
- 5 After the elections in 2011, the newly established officials in the Ministry of Culture started to work on a media strategy. It is now (24 February) in its final stage, however the results remain to be seen.
- 6 Nina Obuljen Koržinek has been one of the key figures in the Ministry of Culture during the reign of HDZ. From 2008 to 2011 she was the State Secretary at the Ministry of Culture responsible for

- the field of culture and media and had an active role in the EU accession processes, especially in the harmonisation of legislation with the EU legislative framework. From 2006 to 2008 she was the Assistant Minister in the Ministry of Culture. In the period between 1998 and 2000, she was the head of Cabinet of the Minister of Culture.
- 7 He is the Head of Media Department at the Ministry of Culture and a member of the Social Democrat Party; a theatre director who previously worked in the field of public relations and advertising.
 - 8 This is a committee within the Croatian Parliament, which participates in the enactment of legislation in the field of media, and monitors the implementation of media policy. See: <http://www.sabor.hr/Default.aspx?sec=2665>. Accessed 20 September 2013.
 - 9 Nada Zgrabljčić Rotar has held several positions important for media policy development; she was a member of the Government Working Group drafting the HRT Act in 2000, the President of the Program Council of the HRT, the external member of the Parliamentary Committee on Information, Computerisation and the Media, and the Vice-President of the Governing Council of the Croatian press agency HINA.
 - 10 Postnikov, B., "Shakexkluziv tabloid," *Novosti*, 21 September 2012.
 - 11 Lasić, I., "Slamka spasa za medijske kapitalce" [Media capitals saved in the nick of time], *Novosti*, 15 March 2013.
 - 12 The 25,000 words threshold triggered a huge debate, in which it was claimed that the number of words does not guarantee quality. It was also claimed that the underlying reason for this threshold was to support most of the daily newspapers while excluding the one with the highest circulation – the tabloid *24 sata* – owned by the Styria Group. The case was submitted to the Constitutional Court, but before a decision was reached, the Parliament excluded this provision in the amendment to the VAT Act by the end of 2013.
 - 13 Zec, M., "Registar poniznih poslušnika" [The register of servile servants], *Novosti*, 5 November 2011.
 - 14 Source available at: <http://www.min-kulture.hr/>. Accessed 29 October 2013.
 - 15 Source available at: <http://www.min-kulture.hr/default.aspx?id=9730>. Accessed 4 January 2014.
 - 16 According to Article 56, the penalty for breach is from 100,000 to 1,000,000 kuna (approx. 13,000 to 130,000 euro).
 - 17 Source available at: <http://www.e-mediji.hr/novosti/obavijest-za-nakladnike-radija-i-televizije-vezana-uz-prijavu-vlasnicke-strukture-na-portalu-pruzatelja-medijskih-usluga/>. Accessed 12 January 2014.
 - 18 Source available at: http://www1.biznet.hr/HgkWeb/do/language?lang=en_GB. Accessed 10 December 2013.
 - 19 Č. I., "Fašizam se razbuktava: Portal *Dnevno.hr* nakon Srba i gayeva krenuo i na Židove" [Fascism flares up: the portal *Dnevno.hr* attacked Serbs and gays, and is now after Jews], *Index.hr*, 6 December 2013. Available at: <http://www.index.hr/vijesti/clanak/fasizam-se-razbuktava-portal-dnevno-nakon-srba-i-gayeva-krenuo-i-na-zidove/715161.aspx>. Accessed 28 January 2014.
 - 20 Čimić, I., "Veliko istraživanje – Privatizacija medija u Srbiji i Hrvatskoj: Slučaj WAZ" [Large research – Privatisation of media in Serbia and Croatia: the case of WAZ], *Index.hr*, 23 October 2012.
 - 21 Ibid.
 - 22 Ibid.
 - 23 This figure varies according to different sources.
 - 24 "Predstečajna za EPH: banke 'za' država 'protiv'" [Pre-bankruptcy settlement for EPH: the banks vote for it, the state against it], *Tportal.hr*, 26 February 2014. Available at: <http://www.tportal.hr/vijesti/biznis/318114/Predstečajna-za-EPH-banke-za-drzava-protiv.html>. Accessed 27 February 2014.
 - 25 Pavelić, B., "Former Croatian TV Anchor Arrested Over Fraud Case," *BalkanInsight*, 11 March 2013.
 - 26 According to the Agency for Electronic Media, there are 31 channels in Croatia, of which 10 have a national licence (terrestrial platform) - *HRT 1* (PSB, general), *HRT 2* (PSB, general), *HRT3* (PSB, specialized in culture, launched in autumn 2012), *HRT 4* (PSB, specialized in news, launched at the end of 2012), *Sportska televizija* (specialized in sports), *Doma TV* (commercial, specialized in entertainment), *Nova TV* (commercial, general), *RTL*

- 2 (commercial, specialized) and *RTL TV* (commercial, general), *Croatian Music Channel-CMC* (specialized in music). In addition, there are 20 channels with local or regional licences.
- 27 This only includes the four main channels that cover 70.28 percent of the share (whole day). The other four channels with national reach (*Doma TV*, *RTL 2*, *Croatian Music Channel* and *Sportska televizija*) make additional 10.88 percent of the share (the new programs of the PSB were not included in this research since they were launched in 2012); alternative television platforms have 18.22 percent of the share. Source: Research conducted by Ipsos Puls, MediaHUB and AGB Nielsen for the Agency for Electronic Media *Analiza TV tržišta* [Analysis of the TV market], AEM, 2013.
- 28 For *Nova TV*, source available at: <https://pmu.e-mediji.hr/Public/PregledDetalji.aspx?id=173&pmu=122>; for *RTL televizija*, source available at: <https://pmu.e-mediji.hr/Public/PregledDetalji.aspx?id=177&pmu=228>. Accessed 28 January 2014. The owner of *Nova TV* indicated in the AEM database, CME Media Enterprises, is partly owned by Time Warner (34.4 percent since 2011).
- 29 Ipsos Puls, MediaHUB and AGB Nielsen, *Analiza TV tržišta* [Analysis of the TV market], AEM, 2013.
- 30 Pavelić, B., "Sudjenje za Fimi mediju: O Osječkoj TV odlučivalo se u Šeksovu kabinetu i HDZ-u" [The Fimi Media Trial: Decisions on Osječka TV made in Šeks's cabinet and HDZ], *Glas Slavonije*, 22 January 2013.
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- 32 J.C. I.M., "Velika akcija Uskoka: Jozo Petrović pušten nakon ispitivanja, na razgovoru u policiji bio i Zoran Gobac!" [Huge Action of the Office for the Prevention of Corruption and Organized Crime: Jozo Petrović released after questioning, Zoran Gobac also questioned by the police!], *Index.hr*, 21 March 2013. Available at: <http://www.index.hr/vijesti/clanak/priveden-vlasnik-osjecketelevizije-zeljko-bilos/668670.aspx>. Accessed 20 December 2013.
- 33 This does not include state owned companies.
- 34 Source available at: <https://pmu.e-mediji.hr/Public/PregledTvNakladnici.aspx>. Accessed 09 January 2014.
- 35 Source available at: http://www.e-mediji.hr/nakladnici/radijski_nakladnici.php. Accessed 10 February 2014.
- 36 Source available at: <https://pmu.e-mediji.hr/Public/PregledRadioNakladnici.aspx>. Accessed 08 January 2014.
- 37 Mirković, N. and Žagar, D., *Pluralizam i vlasništvo medija u Hrvatskoj – slučaj tržišta lokalnih radija. Uska grla lokalnih radija u Hrvatskoj* [Pluralism and ownership of media in Croatia – the case of local radio markets. The bottlenecks of local radio in Croatia], Gong, 2013.
- 38 Source available at: http://www.e-mediji.hr/nakladnici/radijski_nakladnici.php. Accessed 9 December 2013.
- 39 Source available at: <https://sudreg.pravosudje.hr/registar/>. Accessed 28 January 2014.
- 40 Source available at: http://www.gfk.hr/public_relations/press/press_articles/011221/index.hr.html. Accessed 16 January 2014.
- 41 Pavičić, S., "Čak 40 posto građana u Hrvatskoj ne pristupa internetu" [As much as 40 percent of citizens in Croatia do not access the internet], *Novi list*, 25 November 2013.
- 42 Source available at: <http://www.alex.com/topsites/countries/o/hr>. Accessed 12 October 2013.
- 43 Source available at: <https://sudreg.pravosudje.hr/registar/>. Accessed 28 January 2014.
- 44 Tomić, D., "Ekskluzivno: *Net.hr* na meti *EPH*, *Nova TV-e*, i *Styrije*." [Exclusive: *Net.hr* targeted by *EPH*, *Nova TV* and *Styria*], 11 January 2014. Available at: <http://www.hnd.hr/hr/homepage/vijest/67263>. Accessed 15 January 2014.
- 45 H.A., "Pljačka stoljeća: Pavić dužan 1,8 milijardi, kupio *Net.hr* portal, a Butkoviću daje 70 tisuća kuna mjesečno!" [The robbery of the century: Pavić owns 1.8 billion, bought the portal *Net.hr*, while he gives Butković 70 thousand kuna monthly!], 5 February 2014. Available at: <http://www.index.hr/vijesti/clanak/pljacka-stoljeca-pavic-duzan-18-milijardi-kupio-nethr-portal-a-butkovicu-daje-70-tisuca-kuna-mjesečno/724332.aspx>. Accessed 6 February 2014.

- 46 Source available at: <http://www.h-alter.org/vijesti/mediji/index-hr-treba-nesmetano-emitirati/print:true>. Accessed 6 February 2014.
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- 54 Gašparić, K., "Potpuna istina o propasti HZZO-a: Hrvatskoj zdravstvo je u kolapsu i opasno je po zdravlje građana" [The entire truth about the collapse of HZZO: Croatian health system in collapse and dangerous for the health of the citizens], *Jutarnji list*, 30 August 2013.
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- 58 Lukarević, M., *Medijsko sveučilište EPH – putujući circus Ninoslava Pavića u Koprivnici* [Media University of EPH – the flying circus of Ninoslav Pavić in Koprivnica], 8 October 2012. Available at: <http://www.hnd.hr/hr/homepage/vijest/65906>. Accessed 11 January 2014.
- 59 E.M., "Prijavljeni Uskoku: Varaždin i Koprivnica dali Pavićevom sveučilištu 4 milijuna kuna!?" [The Office for the Prevention of Corruption and Organized Crime notified: Varaždin and Koprivnica payed 4 milion kuna to Pavić's university!?!], *Index.hr*, 25 January 2014 (available at: <http://www.index.hr/vijesti/clanak/prijavljeni-uskoku-varazdin-i-koprivnica-dali-pavicevom-sveucilistu-4-milijuna-kuna/723753.aspx>, accessed 26 January 2014), and R.L., "Sveučilište Sjever više ni na koji način nije vlasnički povezano s tvrtkom Ninoslava Pavića" [The North University is not connected with the firm of Ninoslav Pavić in any way anymore], *Index.hr*, 25 January 2014 (available at: <http://www.index.hr/vijesti/clanak/sveuciliste-sjever-vise-ni-na-koji-nacin-nije-vlasnicki-povezano-s-tvrtkom-ninoslava-pavica/723783.aspx>. Accessed 26 January 2014).
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- 62 Some annual financial reports are available on the web site of the Court Register, however they are not allowed to be further distributed and published. Source available at: <https://sudreg.pravosudje.hr/registar>. Accessed 27 March 2014.

- 63 These data are reduced to total income, average sales/listenership/viewership, compared to the data provided to the CCE.
- 64 Source available at: <http://www.styria.com/hr/konzernunternehmen/kategorie.php?cat=1>. Accessed 27 March 2014.
- 65 Source: Evidence of licenced press publishers and distributors (Evidencija izdanih potvrda o upisu u upisnik HGK o izdavanju I distribuciji tiska) Croatian Chamber of Economy, Industry Sector, 10 December 2013.
- 66 *Analiza TV tržišta*, [Analysis of the TV market], AEM, 2013.
- 67 In 2012, the Electronic Media Council opened up two tenders and allocated 3,621,125.09 kuna (approx. 473,100 euro) for 1,446 programs.
- 68 *Izješće Hrvatskom saboru o radu Vijeća za Elektroničke medije i Agencije za elektroničke medije u razdoblju od 1. siječnja do 31. prosinca 2012* [Report to the Croatian Parliament on the work of the Electronic Media Council and the Agency for Electronic Media from 1 January until 31 December 2012].
- 69 More information available at: <http://mediaobservatory.net/radar/flash-report-2-croatia>. Accessed 27 March 2014.
- 70 The analysis of television market in Croatia conducted in 2013 by Ipsos Puls for the Agency for Electronic Media estimated the television market in Croatia to be worth 731.3 million kuna (approx. 95,500,000 euro). This estimate includes advertising income and sponsorship only – not PSB licence fees, donations, other business income or state subventions. The total annual expenditure on advertising on the national televisions has decreased 9.5 percent in the last few years. The analysis particularly focused on local and regional television – since the AEM finances them via the Fund for Pluralism. The value of local and regional television markets in 2012 was estimated to be 96.4 million kuna (approx. 12.6 million euro). The income from advertising makes around 50 percent of their total income, while state subsidies make a fifth of the total income.
- 71 Source available at: <http://hura.hr/publikacije/hura-adex/>. Accessed 19 October 2013.
- 72 “Predstečajna za EPH: banke ‘za’ država ‘protiv’” [Pre-bankruptcy settlement for EPH: the banks votes ‘for’ the state ‘against’ it], *Tportal.hr*, 26 February 2014. Available at: <http://www.tportal.hr/vijesti/biznis/318114/Predstečajna-za-EPH-banke-za-drzava-protiv.html>. Accessed 27 February 2014.
- 73 Lasić, I., “Slamka spasa za medijske kapitalce” [Media capitals saved in the nick of time], *Novosti*, 15 March 2013.
- 74 PSB Bodies: The Croatian Parliament appoints the General Director who is responsible to the Parliament and the Supervisory Board. The Management Board consists of the General Director and four directors of the four organisation units of HRT defined by their Statute: the Program Director, Production Director, Technology Director and Director of Commerce. They are all appointed by the General Director (HRT Statute, Article 22). The supervisory board has 5 members, four are appointed by the Parliament while one is the representative of the employees. Their term in office is 4 years. They submit annual reports on their activities to the Croatian Parliament, the Electronic Media Council and the Program Council of HRT. The Program Council has 11 members – nine are appointed by the Croatian Parliament, while two are appointed by the employees of HRT. The PC monitors the program content and its compliance with the legislative obligations of HRT but it has only an advisory role. It appoints the Commissioner for the HRT Users, who serves as a link between the PSB and citizens.
- 75 The former director of Microsoft Croatia; from 1987-1990 he was the director of *Television Zagreb* in former Yugoslavia.
- 76 In 2013, Radman was accused by the Conflict of Interests Committee of withholding information about his assets, which he is obliged to report transparently. He has been accused of editorial interference and irregularities in the appointment of the management staff and editors in chief. Upon his appointment, Radman nominated seven managerial/editorial members within HRT (out of 18) regardless of the fact that the employees did not support them. A few of the appointed editors/managers did not meet the formal criteria and were proved to be completely inadequate – either

- as a result of faking their biography (in this case, the appointed editor resigned in May due to the pressure from the media) or having insufficient working experience or being in a conflict of interests. Bajto, N., "Kadrovi iz filma strave: glavni urednik prvog programa HTV-a Željko Rogošić lažirao životopis" ["Scenes from a horror movie: Editor in Chief of the HTV 1 program Željko Rogošić fakes his CV"], *Novosti*, 3 May 2013.
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- 78 Matijević, B., "Turbulentno na HTV-u. Informativni program u godinu dana ostao bez 20-ak urednika" [Turbulences at HTV: twenty editors removed within a year in the news and current affairs program], *Večernji list*, 5 January 2014.
- 79 Document: *Notes on foundational financial reports*, HRT, 31 December 2012.
- 80 *HRT pored 3.390 zaposlenih angažirao još 3.700 vanjskih suradnika?* [With 3 390 employees, HRT hires additional 3 700 stringers?], 7 January 2013. Source available at: <http://www.poslovni.hr/hrvatska/hrt-pored-3390-zaposlenih-angazirao-jos-3700-vanjskih-suradnika-226518>. Accessed 10 January 2014.
- 81 The licence fee is defined in the Croatian Radio-television Act: a maximum 1.5 percent of the average net salary of employees in Croatia based on the census data for the previous year (Article 37).
- 82 *Analiza TV tržišta* [Analysis of the TV market], AEM, 2013.
- 83 Mehulj, M., "Pad tržišta oglašavanja u RH" [The advertising market shrinks in Croatia], *Teve.ba*, 3 January 2013.
- 84 They regulate and monitor the implementation of the legislative provisions that apply to electronic media, with regard to advertising practices, internal production, informative content etc.
- 85 *Izješće Hrvatskom saboru o radu Vijeća za elektroničke medije i Agencije za elektroničke medije u razdoblju od 1. siječnja do 31. prosinca 2012.* [Report of the Electronic Media Council and the Agency for Electronic Media in the period of 1 January until 31 December 2012 submitted to the Croatian Parliament], available at: <http://www.e-mediji.hr/>. Accessed 22 January 2014.
- 86 In the cities: Karlovac, Koprivnica, Nova Gradiška, Sisak, Virovitica, Metković, Požega, Slavonski Brod, Županj, Gospić and Krapina.
- 87 HINA, "Hrg pozvao Radmana da preispita odluku o ukidanju 11 dopisništava HRT-a" [Hrg invited Radman to reconsider the decision on the abolishment of 11 correspondent desks of HRT], 12 January 2014. Available at: <http://www.index.hr/vijesti/clanak/hr-g-pozvao-radmana-da-preispita-odluku-o-ukidanju-11-dopisnistava-hrtal/721187.aspx>. Accessed 13 January 2014.
- 88 The central news bulletin Dnevnik HRT 1, 14 January 2014.
- 89 Ćimić, I., "Ovo je kraj Hrvatske radiotelevizije kakve znamo: Ukida se 11 dopisništava u Hrvatskoj!" [This is the end of the Croatian Radiotelevision as we know it: 11 correspondents desks in Croatia abolished!], *Index.hr*, 9 January 2014.
- 90 Ibid.
- 91 The central news bulletin Dnevnik at HRT 1, 14 January 2014.
- 92 HTV 1 has 26.62 percent, HTV 2, 3.21 percent, Nova TV, 13.50 percent and RTL 12.78 percent.
- 93 The time devoted to these issues: HTV 1 – 16.85 percent; HTV 2 – 15.10 percent, followed by Nova TV – 6.21 percent and lastly RTL TV – 3.36 percent. Source: *Analiza TV tržišta* [Analysis of the TV market], AEM, 2013.
- 94 In September 2013, the agencies Presscut and MediaNet conducted a telephone survey on a representative sample of 1000 respondents, which included open ended questions regarding the perception of the best journalist in Croatia. In the listing of best journalists, 151 names emerged, that were listed 913 times. The names mainly included television journalists (733 or 59 percent), then newspaper journalists (38 percent), radio journalists (19 percent) and lastly online journalists (3 percent). Interestingly, 55 percent of the respondents could not single out one journalist by name without assistance. According to this research, the journalists who are most popular among general population work for television: Mislav Bago,

- Aleksandar Stanković, Goran Milić, Zoran Šprajc and Denis Latin. Source: http://www2.presscut.hr/hr/presscut_i_medianet_predstavili_anketu_o_najpopularnijim_novinarima_i_istrazivanje_o_krizi_medija_173/, accessed 15 December 2013. It is interesting to compare the results of the internal voting conducted by the journalists in the focus groups (i.e. professionals) and the voting of the general population. While the general audiences mainly recognize television journalists, since television is the most popular media, the professionals participating in the focus group discussion mainly singled out newspaper journalists (3) and one web portal journalist, which indicates that quality journalism is still perceived as residing in the press.
- 95 All four had considerable experience of studying but not necessarily in journalism. Two of them studied but never completed their studies (one studied economy, then journalism, the other studied political sciences) while one of them graduated in social pedagogy and then enrolled in journalism studies but never graduated. The fourth studied philosophy and is pursuing a PhD in the field.
- 96 The Croatian Journalist Association, Association of Press Publishers, Croatian Association of Radio and Press, National Association of Television, *Croatian Radiotelevision, Nova TV, RTL televizija*, Association for Interactive Marketing.
- 97 H.A., "Pljačka stoljeća: Pavić dužan 1,8 milijardi, kupio *Net.hr* portal, a Butkoviću daje 70 tisuća kuna mjesečno!" [The robbery of the century: Pavić owes 1.8 billion, bought the portal *Net.hr*, while he gives Butković 70 thousand kuna monthly!], 05 February 2014, <http://www.index.hr/vijesti/clanak/pljacka-stoljeca-pavic-duzan-18-milijardi-kupio-nethr-portal-a-butkovicu-daje-70-tisuca-kuna-mjesecno/724332.aspx>. Accessed 06 February 2014.
- 98 The Croatian Journalists Union was contacted via email three times during this project with questions regarding statistical data on their membership etc. However they did not reply to any of them.
- 99 Updated in 2012.
- 100 Source available at: <http://www.snh.hr/index.php?jezik=hr&idMenu=1>. Accessed 11 December 2013.
- 101 Zec, Miroslav, *Registar poniznih poslušnika [The register of servile servants]*, 5 November 2011, <http://www.novosti.com/2011/11/registar-poniznih-poslusnika/>. Accessed 10 September 2013.
- 102 Dragojević, R., "Javnost u javnoj raspravi? Hvala, van!" [The public in a public debate? Thanks, but no thanks!], *Novosti*, 14 December 2012.
- 103 I.Č., "Nakladnici guraju svoje novinare u kršenje zakona kako bi se domogli manjeg pdv-a od pet posto!?" [Publishers push their journalists towards legislative breach in order to seize lower taxes of 5 percent!], 27 June 2013, <http://www.index.hr/vijesti/clanak/nakladnici-guraju-svoje-novinare-u-kršenje-zakona-kako-bi-se-domogli-manjeg-pdva-od-pet-posto/685678.aspx>. Accessed 5 November 2013.
- 104 Source available at: <http://www.hnd.hr/hr/arhiva/show/67290/>. Accessed 8 January 2014.
- 105 The highest number (36) concerned the PSB television channels 1, 2 and 3. The same amount of complaints aimed at the commercial television channels *Nova TV* (20) and *RTL* (20). Nine complaints concerned radio stations, and 30 regarded electronic publications i.e. portals.
- 106 19 were issued based on citizens' complaints and 41 based on the monitoring and analysis issued by EMC.
- 107 Mainly linked to internal production and lack of local information (13 cases).
- 108 From 27 January to 29 October 2012.
- 109 They issued 11 notices, 17 caveats and 11 final caveats – but the question is what consequence the media outlets face in these cases?
- 110 These were also the cases in which the JCH mainly issued final caveats.
- 111 2012 Annual report of the Journalist Honor Council: Report and statistics of the JHC for 2012.
- 112 Source available at: <http://www.hnd.hr/hr/arhiva/show/67229/>. Accessed 4 January 2014.
- 113 Source available at: <http://www.hnd.hr/hr/homepage/priopcenje/67229>. Accessed 4 January 2014.
- 114 For press content, look at Elezović (2012), for television, *Analiza TV tržišta [Analysis of the TV market]*, AEM, 2013.
- 115 The previously mentioned content analysis conducted by Elezović (2012) showed that of the total amount of analyzed front pages (1014) more than 50 percent had advertisements on the front page.

The highest number of ads on the front page was identified with *Jutarnji list* (29.10 percent of the total number), followed by *24 sata* (25.50), *Večernji list* (17.30), *Novi list* (16.70) and *Slobodna Dalmacija* (10.90 percent). The daily with least ads was *Vjesnik* (0.40 percent), the only broadsheet in Croatia was destroyed in 2012 (Elezović 2012). It is also common that pages two and three include advertisement only – the space that was previously reserved for the most important events.

- 116 Research conducted by Vilović (2010), Majstorović (2010), Vlainić (2012), Benković and Balabanić (2010).
- 117 The research was conducted on a representative sample (N=1,000) including respondents above age 15. Available at: http://www.gfk.com/gfkcroatia/ht-docs/public_relations/press/press_articles/010315/index.hr.html. Accessed 6 January 2014.

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Zdenko Duka, President of the Croatian Journalists Association, 5 November 2013.

FOCUS GROUP DISCUSSIONS

7-member focus group discussion with journalists from non-profit media, 9 November 2013.

6-member focus group discussion with journalists from commercial media, 22 November 2013.

5-member focus group with journalists from public service media, 26 November 2013.

LIST OF INTERVIEWS

Milan Živković, Head of the Media Department at the Ministry of Culture, 27 September 2013.

Nina Obuljen Koržinek, former State Secretary responsible for media at the Ministry of Culture during the reign of HDZ, 30 September 2013.

Nada Zgrabljic Rotar, media expert and Associate Professor at the University Center for Croatian Studies, 2 October 2013.