

# REVIVING NEWS MEDIA IN AN EMBATTLED EUROPE

Special Report



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June 2023

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## ACKNOWLEDGEMENTS

This report was made possible by the generous support of The Dutch Postcode Lottery, The Hurford Foundation, Jyllands-Posten Foundation, Lilly Endowment Inc., and Stiftung Mercator. Freedom House is committed to editorial independence. Our donors do not influence the organization’s research priorities, report findings, or policy recommendations.

Shannon O’Toole edited the report. Fahmida Zaman, Noelle Rojas, and Tessa Weal provided research support at different stages of the project. Yana Gorokhovskaia and Adrian Shahbaz provided valuable guidance throughout this project.

Freedom House also thanks external advisors from across the region, including Christina Holtz-Bacha, Sofia Verza, and Richard Youngs, who provided important feedback on the pilot methodology and helped to review preliminary findings.

Finally, none of this would have been possible without the media experts and professionals in Estonia, France, Germany, Hungary, Italy, and Poland who openly discussed the challenges facing independent media in their country, and efforts to address them. Their insights were integral to the success of this project.

### ON THE COVER

People gather at the “Free People, Free Media” protest on the Main Square in Krakow, Poland, in December 2021. (Photo credit: Beata Zawrzel/NurPhoto)

# The Changing Landscape for Media and Democracy in Europe

By Jessica White

For over a decade, a series of crises have undermined the media's ability to support democracy. Traditional business models have collapsed with the rise of the internet and social media platforms. Hyperpartisan news sites and disinformation have damaged readers' trust in online content. At the same time, illiberal leaders in several democracies have developed sophisticated methods for silencing and co-opting the media.

These serious challenges have sparked new and ambitious approaches for sustaining journalism. Driven by necessity, a dynamic group of European media organizations are developing alternative business models, strengthening the craft of journalism, engaging younger and more diverse audiences, and building networks to defend against legal attacks. While their stories are distinct, lessons learned from their successes can inform future policy approaches to reviving independent media amid the twin forces of democratic backsliding and digital disruption.

Freedom House conducted in-depth research and interviews with nearly 40 media professionals and experts in six countries: Estonia, France, Germany, Hungary, Italy, and Poland. The countries vary by market size and by the health of their democracy, but all are part of the European Union (EU), where members are debating important regulatory measures to protect media independence and pluralism under a proposed European Media Freedom Act. Freedom House examined four conditions affecting the playing field for independent news media and their role in democracy: their ability to sustain themselves financially, reach and engage diverse audiences, earn public trust, and play a watchdog role.

The report found several areas of promise. In the face of economic coercion, Hungarian outlets such as Telex, Klubrádió, Átlátszó, Partizán, and Direkt36 have turned to crowdfunding, microdonations, and membership schemes, or formed nonprofit foundations to collect taxpayer donations. These efforts consciously use financial transparency to earn donors' (and readers') trust. Digital outlets like Mediapart and Les Jours in France and Il Post

in Italy have also focused heavily on cultivating audience revenue, earning trust and credibility by embracing transparency and adhering to strong ethical standards.

Public service media have also reached out to new audiences. Estonia's public broadcaster invested in a dedicated Russian-language channel to counter Moscow's propaganda and deliver independent news to the country's Russian-speaking population. In Germany, public broadcasters ARD and ZDF founded an online-only network that engages younger audiences, while some reputed outlets have garnered large followings on TikTok.

**The challenges journalists and media managers face are broad and systemic. It will take holistic solutions to ensure environments where independent media can continue to flourish.**

And, in environments where journalists face increasing legal and political threats, outlets have joined networks to defend themselves in solidarity rather than in isolation. For investigative projects in Poland, Hungary, and Italy, legal aid, cross-border investigations, and international advocacy efforts have provided safety nets against a deluge of frivolous lawsuits.

While these bright spots hold promise, the challenges journalists and media managers face are broad and systemic. It will take holistic solutions to ensure environments where independent media can continue to flourish. The report concludes with a series of recommendations to European institutions, governments, funders, and civil society organizations. The learnings from this research have global implications for how democracies can revive media's ability to play a constructive role in democracy.

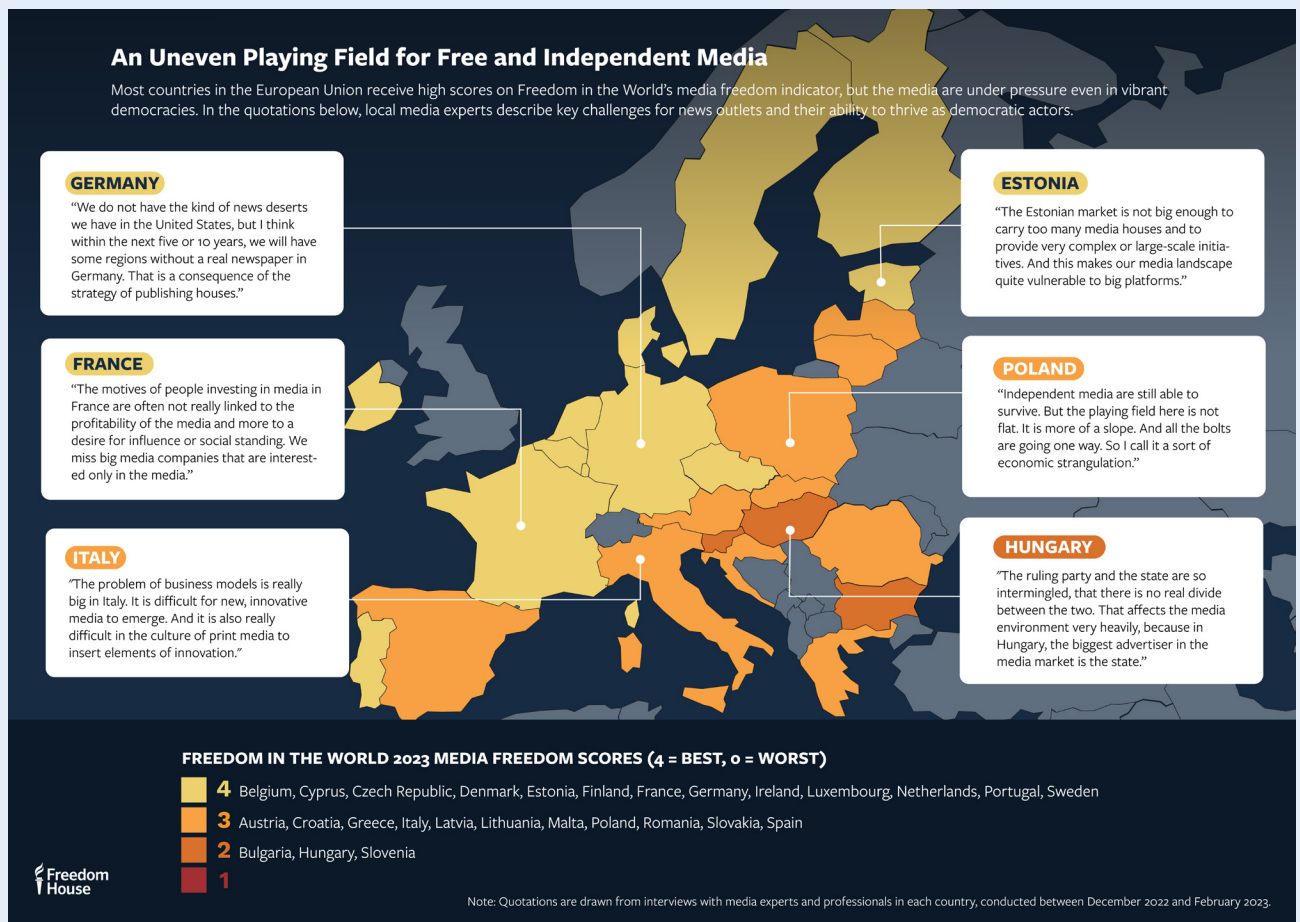
# The Changing Landscape for Media and Democracy in Europe

Attacks on the media have contributed to a decline in global freedom. In *Freedom in the World*, Freedom House’s annual assessment of political rights and civil liberties, the indicator for media freedom has declined more than any other during the past 17 years of democratic recession. In the European Union (EU), an increasingly uneven and fragile environment for free and independent media is testing the union’s ability to defend its founding democratic values. Even within established democracies, it has become more challenging for media organizations to uphold the kinds of journalism that help people make informed choices about their lives and communities, expose corruption, and encourage civic engagement.

Over the past decade, some governments have deliberately skewed media landscapes in pursuit of self-serving political

interests. The Hungarian and Polish governments stand out for attacks on media freedom and pluralism. Having once embraced their transition from communism to liberal democracy, in recent years they have significantly rolled back freedoms for independent media amid their broader dismantling of democratic checks and balances—all of which has taken place under the EU’s watch.

Hungary has become the only EU country rated Partly Free in *Freedom in the World*, and has joined the grey zone of “hybrid regimes” in Freedom House’s *Nations in Transit* report. The government’s hostility toward critical media has played a significant role in this deterioration. Since taking power in 2010, Prime Minister Viktor Orbán’s Alliance of Young Democrats–Hungarian Civic Union (Fidesz) has implemented a series of



constitutional and legal changes that have undermined the rule of law and consolidated control over state institutions. While privately owned independent media outlets still exist, the cards are heavily stacked against them in a landscape dominated by progovernment outlets that frequently smear the party's political opponents and perceived critics. State advertising favors outlets that toe the party line, public service media is controlled by the government, and government allies have taken control over large segments of private media.

Poland's media remains more vibrant than Hungary's. Since 2015, however, Jarosław Kaczyński's populist and socially conservative Law and Justice (PiS) party has exerted economic, legal, regulatory, and political pressure to destabilize outlets considered adversarial and recalibrate the landscape in its favor. The party has purged dissenting voices from public broadcasters, and has used state-owned companies to take over press distribution networks and regional media and to channel public advertising to outlets that support the PiS government. In its efforts to "repolonize" the media landscape, PiS has taken aim at foreign media ownership, and has redoubled pressures on the US-owned private television station TVN and its news channel TVN24, which is often critical of the government.

Countries that score higher on *Freedom in the World's* indicator for media freedom include Estonia, Germany, and France. But even robust democracies that benefit from well-grounded journalistic protections, regulatory frameworks, and independent judiciaries are not without their own difficulties in sustaining vibrant news sectors that can engage audiences in the digital era and provide a diversity of high-quality content.

French media operate freely, and the landscape continues to boast a plurality of voices and political opinions at the national and local levels, yet public policies related to the media have struggled to keep pace with new digital realities. The state maintains one of the oldest press subsidy systems in Europe, but it has faced criticism for an outdated approach that favors established print outlets over newer digital entrants. Moreover, the rise of major media owners who also retain stakes in separate industries has fed growing public skepticism about the media's independence. Public antagonism has been reflected in verbal and physical attacks against journalists during protests in recent years. This phenomenon has been most acute during coverage of the Yellow Vests protests, which began in 2018 and brought to light frustrations with the deepening gulf between ordinary people and the political establishment, including the journalistic elite.

Influenced by its totalitarian past, Germany has established strong safeguards to shield its media system from authoritarian power

grabs. This includes a decentralized model for public service media that helps protect editorial independence and pluralism. While press freedom in Germany remains robust and self-regulation through the press council and press codes generally works well in practice, financial pressures have impacted media pluralism, especially local news production. Though traditional media still garner high levels of public trust, hostility amongst a more disengaged segment of the population has coincided with the rise of far-right populism. Protests have also increasingly become flashpoints for violence against journalists.

Estonia's media sector has radically changed since the country's formal independence from the Soviet Union in 1991. With just over 1.3 million inhabitants, Estonia's smaller size limits its ability to diversify news production amid cost pressures and competition with international players. This has resulted in high levels of concentration among three main media groups: Estonian Public Broadcasting (ERR), and two owners in the private sector: Ekspress Grupp and Postimees Grupp. Moreover, the media market is characterized by long-standing "information bubbles" between the country's Estonian and Russian speakers. Major channels of the Russian Federation attracted significant viewership among Estonia's Russian speakers. Authorities have sought to address this gap in recent years through more investments in local Russian-speaking media initiatives. They also moved to block channels linked to the Russian state in an effort to curtail propaganda related to its full-scale military invasion of Ukraine.

Italy's media environment boasts a diversity of viewpoints. However, newsrooms covering sensitive stories operate in a precarious environment, and reporting on organized crime and similar issues can elicit serious threats. Historically high levels of media partisanship, the lack of a strong self-regulatory system, and low levels of professionalism have also undermined trust in Italian media. Powerful players in the television market have used their media platforms to pursue political interests, including media mogul Silvio Berlusconi, who was able to leverage media assets during his various bids for public office.

As media organizations continue to navigate transformations rocking the industry, defending independent media—a crucial cornerstone of democracy—calls for creative solutions. The stakes are particularly high in Hungary and Poland, where political interference through media capture and other legal and institutional maneuvers have become a sign of democratic decline. Under these conditions, powerful actors are successfully exploiting resources, attention, and trust to their advantage, while undermining critical coverage that holds them to account.

# The Search for Financial Viability

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A vibrant, independent press cannot function without strong economic foundations. Yet financial survival is top of mind for many media organizations that are scrambling to find solid footing amid global market upheavals.<sup>1</sup> Local newspapers have been particularly vulnerable to these shifts. Moreover, disturbing developments in the region show that when economically weakened, the foundations underpinning media's role in democracy can be easily subverted to undermine editorial autonomy and exert political influence.

Digital disruption and outsized competition from big technology platforms have rocked the business model that once underpinned the sustainability of the media industry. As audiences increasingly turn to online platforms, traditional income sources based on commercial advertising and print sales have steadily declined. According to the World Advertising Research Center, global advertising spending in print newspapers in 2023 is set to represent less than a fifth of what it was in 2007.<sup>2</sup>

While larger media outlets in Europe have offset some of these losses through digital advertising, the lion's share of digital-advertising income gets hoovered up by big technology companies, rather than bolstering the finances of individual media outlets. More newspapers are adapting to changing conditions by diversifying sources of income and pursuing online subscription models, with varying degrees of success.

## Newsrooms under financial pressure

Even in countries that boast wealthy markets and strong traditions of local reporting, technological disruptions and commercial pressures have prompted media organizations to adopt solutions that can undermine the quality of their journalism. Some publishers cut costs and consolidated their market positions by purchasing smaller outlets and merging editorial teams, raising concerns about reduced coverage and declining diversity. In countries such as Germany, where regional and local outlets play an important role within the country's federally organized system, experts worried about the democratic risks of cost-saving strategies that reduce scrutiny of local governance.

Job precarity is a problem in markets where media houses are no longer able to hire as many people to sustain high-quality reporting. The rising number of freelance journalists working without guarantees of a stable income contributes to greater insecurity in the profession, especially in environments such as Poland or Italy, where investigative reporters frequently face costly lawsuits. According to recent appraisals, for example, freelancers sometimes barely fetched more than €20 (\$22) for 1,000-character articles in major Italian newspapers.<sup>3</sup> Giovanni Zagni, editor in chief of the fact-checking website Pagella Politica, explained: "You have either big legacy media that struggle to keep up with the level of wages, or really small independent media that have to find ways to either circumvent [labor] laws or pay really substandard wages."<sup>4</sup> Such conditions threaten to accelerate an exodus of talented people who no longer see journalism as a viable career.

## The dangers of deep pockets and vested interests

In some countries, economic conditions have heightened concerns about accelerating market concentrations among business moguls with interests outside the sphere of media.

In France, the public has grown skeptical about leading outlets that have landed in the hands of wealthy industrialists with business interests in industries like defense, construction, telecoms, and transportation.<sup>5</sup> In a Senate inquiry launched in 2021, experts warned that France's outdated legislation was no longer able to guarantee pluralism across different media sectors.<sup>6</sup> Controversy has especially surrounded the conservative billionaire Vincent Bolloré, who has become notorious for editorial meddling in the growing number of outlets that his family conglomerate owns, including trying to silence coverage about his business dealings in Africa.<sup>7</sup> Ahead of the 2022 election campaign, his channel CNews gave a prominent television platform to far-right pundit Éric Zemmour, which helped to propel his presidential bid.<sup>8</sup> "Concentration is not new," noted French communications professor Philippe Bouquillion, "but what is new in France is the fact that a main shareholder tried to influence political content. And this is quite new at such a big scale in the country."<sup>9</sup>



Deutsche Welle employees hold a demonstration against the international public broadcaster's cost-cutting plans in Berlin, Germany, in May 2023. (Photo credit: Jörg Carstensen/dpa/Alamy Live News)

The democratic consequences are even more acute when media ownership becomes captured by ruling-party interests. The departure of foreign investors in less favorable environments can create a vacuum that leaves more space for government-friendly actors to enter the scene. In Hungary, a series of media takeovers by wealthy businesspeople aligned with the ruling party, Fidesz, has enabled an unaccountable government to flourish by dominating media at the local and national level. In an unprecedented move in late 2018, hundreds of progovernment media outlets, including newspapers and television and radio stations merged under a nonprofit conglomerate called the Central European Press and Media Foundation (KESMA). The government declared the merger to be of “national strategic importance” to exempt it from competition laws.<sup>10</sup>

In Poland, state-owned companies have taken over outlets in line with a professed strategy by the nationalist Law and Justice (PiS) government to “repolonize” the media landscape. In 2020, the state-run oil company Orlen purchased Polska Press, which includes leading regional newspapers, magazines, and hundreds of online portals, from its German owners. Editorial changes followed soon after.<sup>11</sup>

“Concentration is not new. But what is new in France is the fact that a main shareholder tried to influence political content. And this is quite new at such a big scale in the country.”

- Philippe Bouquillion, professor of communication

### Politicized market distortions threaten independent media

To prevent market failures in the industry, some governments are looking to bolster outlets that are struggling financially. But publicly funded support can also threaten editorial independence if not distributed in a fair and transparent way. Amid dwindling private advertising revenues, preferential state advertising has emerged as a tool of choice for ruling parties that seek to manipulate the landscape in self-serving ways.

In Hungary and Poland, public entities have actively skewed the market by directing the bulk of state advertising to media

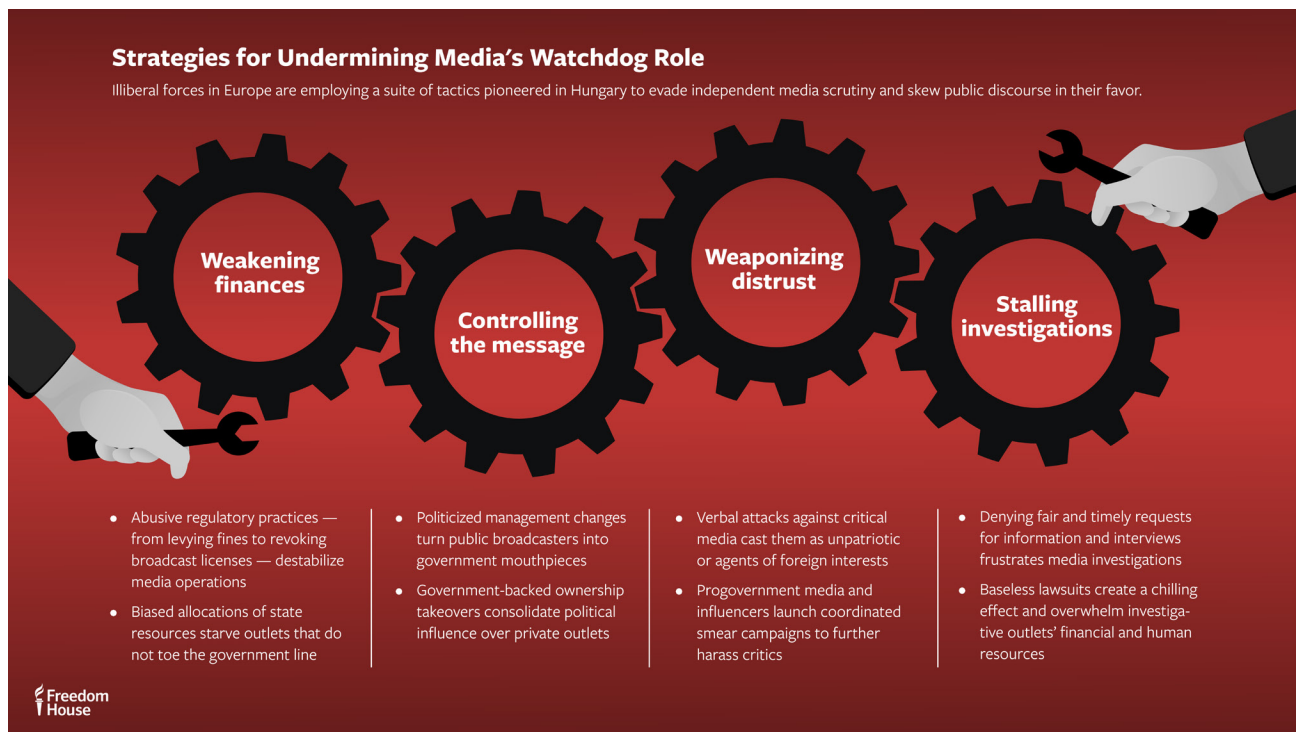
“We just have much less money than we should get in fair systems. So we have fewer journalists, less money to run stories, less money to run the business.”

- Łukasz Lipiński, deputy editor in chief of the Polish weekly *Polityka*

outlets that provide friendly coverage of the government, while boycotting independent media that scrutinize it.<sup>12</sup> “It means we just have much less money than we should get in fair systems. We have fewer journalists, less money to run stories, less money to run the business,” said Łukasz Lipiński, deputy editor

in chief of the Polish weekly magazine *Polityka*.<sup>13</sup> Mihály Hardy, the editor in chief of the independent radio station Klubrádió in Hungary, reflected on how the station’s successful commercial operations changed when Viktor Orbán came to power in 2010: “Klubrádió lost its advertising revenues drastically: within six months it was reduced to 10 percent of what it used to be.”<sup>14</sup> While the state is the biggest advertiser in Hungary, media experts also noted that commercial players are more unlikely to place advertising in independent media, for fear of repercussions such as tax investigations.<sup>15</sup>

In contexts where the cards are heavily stacked against them, the quest to find alternative means to survive is a crucial battle for independent media that provide essential information and dare to scrutinize those in power. Some independent outlets have been able to leverage their strong reputations to elicit financial support from audiences who trust them, as seen in the following case study about Hungarian media.





# Case Study: How Hungary’s Independent News Outlets Are Building New Revenue Models

In an environment dominated by well-funded progovernment outlets, independent news organizations in Hungary have been forced into precarious situations. However, a small but determined sector of independent news organizations are pioneering new ways to adapt and survive—while also warding off the looming risk of interference or capture by hostile owners. As part of this study, editorial leaders at the independent outlets Telex, Klubrádió, Átlátszó, and Partizán shared their sources of financial resilience.

## Turning to audiences as a resilient source of support

Amid scarce advertising revenues, Hungarian independent outlets have increasingly turned to their audiences to help sustain their bottom line. One of the most recent experiments is the crowdfunded news site Telex, which was created by a group of colleagues who made headlines when they resigned en masse from the well-known news site Index in 2020, decrying overt attempts to exert pressure from

above.<sup>16</sup> After creating a Facebook page and a YouTube video asking for people to support their new initiative, some 25,000 people contributed to Telex’s initial fundraising campaign within five days of launching the site in September 2020.<sup>17</sup> “When we ask our readers, ‘Why do you donate to Telex?’, they say basically two things,” explained Veronika Munk, founding editor of Telex. “One is that they really believe in press freedom and they want to contribute to it, and the second is that they want to keep it open because of its public service function so their grandmothers and their children can read it.”<sup>18</sup> Microdonations alongside advertising income and grants continue to support a hundred-strong team at Telex, reflecting robust support from audiences willing to pay for high-quality content.

Independent radio station Klubrádió started appealing to its audience for funding in 2012, when revenues fell dramatically after government interference with its broadcasting license made it difficult for the outlet to attract advertisers. When the national regulator eventually revoked the license in 2020 and forced it off the air in 2021, Klubrádió urged its



Founding members gather to launch the independent news website Telex in Budapest, Hungary, in October 2020. (Photo credit: REUTERS/Bernadett Szabo)



Marton Gulyas of Partizán moderates a live television debate between opposition party representatives on September 15, 2021, ahead of the general election in 2022. (Photo credit: ATTILA KISBENEDEK / AFP)

audiences to migrate online.<sup>19</sup> While it lost some listeners, it also developed a presence on various social media platforms, and appealed to a broader range of users beyond its original radius in Budapest. According to editor in chief Mihály Hardy, crowdfunding now covers approximately 80 percent of its operational costs, although it still operates a limited staff which includes two full-time news reporters.<sup>20</sup>

While audience revenues are an important ingredient for sustaining operational costs, grants also help outlets to pursue and grow resource-intensive investigative reporting projects. This is the case for the nonprofit investigative journalism outlet Átlátszó, which sustains itself mostly through audience revenue, microdonations, and income tax donations, alongside grants from international donors.<sup>21</sup>

“When we ask our readers, ‘Why do you donate to Telex?’ They say basically two things. One is that they really believe in press freedom and they want to contribute to it, and the second is that they want to keep it open because of its public service function so their grandmothers and their children can read it.”

- Veronika Munk, co-founder of Telex

## One percent can make a difference

With inflation reaching 25 percent in early 2023,<sup>22</sup> many independent outlets in Hungary expressed concern about people’s ability to maintain their rate of donations. However, outlets that have set up a foundation or nonprofit organization have been able to make use of Hungary’s 1 percent law, which allows taxpayers to donate a percentage of their income taxes to support the activities of a nonprofit.<sup>23</sup> Organizations become eligible after three years of operation, and these donations can provide additional financial relief from audiences who want to donate to a worthy cause at no additional cost.

After launching Partizán as an independent television station on YouTube in 2017, host and editor in chief Marton Gulyas has ambitious goals for upcoming funding campaigns. “If we can build a strong presence and run a great campaign,” he

said, “then we can easily get thousands of one percents from different citizens in the country. And that would be a steady, reliable, and absolutely nongovernmental source of funds.”<sup>24</sup>

## Building trust through transparency about funding and costs

Emerging outlets are also producing detailed transparency reports to build trust with their community of supporters. Telex regularly publishes transparency reports with updates about developments and finances, and in late 2022 launched a campaign to educate audiences about the costs of running an independent news outlet.<sup>25</sup> Direkt36 has an established policy to disclose information about any donors who fund more than five percent of their total revenue.<sup>26</sup>

Such policies, however, may present a risk for donors who are cautious about being publicly acknowledged in a high-risk environment, as well as for the outlets themselves. Over the past year, progovernment media in Hungary intensified attacks against outlets receiving foreign funding, including Direkt36 and Átlátszó, even though most of their funding still comes from Hungarian audiences.<sup>27</sup>

For many outlets, transparency takes precedence. Veronika Munk explained how Telex aims to be an open book: “If there are accusations, we can say that we communicate about everything we are doing, and it means that our audience and our donors can believe in us. It seems that they do, because we are still sustainable with this system.”

## Organizational structures repel interference and capture

For investigative outlets like Direkt36 and Átlátszó, which focuses on monitoring public spending in Hungary, independence from any kind of business interest remains

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vital for the integrity of their mission. Aware of issues that can arise from interfering owners, they opted to establish themselves as nonprofit entities. For the founders of Telex, ownership was also a contentious issue given their former experiences at Index. This resulted in the decision to create a staff-owned model, which is unique in the Hungarian market.<sup>28</sup>

While multiple threats continue to hamper their work, independent outlets in Hungary have continued to report on political and social developments that are generally sidelined from mainstream progovernment news—from covering protests demanding changes in the Hungarian education system, to reporting on issues affecting sexual and gender minorities, to organizing interviews and debates among opposition politicians. Their experiences showcase how people still appreciate the value of professional journalism and are willing to step in to support their mission.

# The Search for Audiences and the Risk of Information Vacuums

The digital era offers a wealth of new opportunities but also challenges for news organizations that are struggling to bridge generational divides, and reach diverse audiences across fragmented media environments.

An underlying challenge stems from the acute shift in consumption habits. Younger generations are increasingly flocking to an ever-changing landscape of social networks. Organizations such as the Reuters Institute have been tracking this trend: in its 2022 Digital News Report, it found

that 39 percent of 18-to-24-year-olds across 12 markets including Germany, France, and Italy use social media as their main source of news, compared to 34 percent who opt to go directly to a news website or app.<sup>29</sup>

When independent media outlets are unable to represent or reach certain segments of the population, purveyors of false and misleading information are more able to influence public debate and interfere with people's ability to make informed choices.

**“We feel this responsibility [that] if we put the content behind a paywall, then not everybody will afford to consume fact-based journalism.”**

- Veronika Munk, co-founder of Telex in Hungary

## Shifting business models spark anxiety about information inequalities

As more newspapers look to build relationships with paying audiences online, some media experts worry that incentives to target more lucrative audiences through tools like paywalls threaten to widen the gap between the “information rich” and the “information poor.” However, evidence of growing inequalities is not clear-cut in countries where paywalls are a common feature, but where alternative sources of quality



A protestor holds a placard with the symbol of Poland's ruling party Law and Justice (PiS) pasted onto the logo of public television broadcaster TVP at a demonstration against a proposed media advertising tax in Warsaw, Poland, in February 2021. (Photo credit: Attila Husejnow / SOPA Images/Sipa USA)

news are also still available online for free. An analysis of European survey data by the Reuters Institute suggests that “as paywalls become more commonplace, public service media will be especially important for keeping information inequalities low.”<sup>30</sup>

Where public service broadcasters are no longer able to fulfill their mandate and maintain editorial independence, underserved audiences are particularly vulnerable to consuming lopsided news. This concern is perhaps most relevant in Hungary, given the dominance of progovernment voices in the media landscape, including the government-controlled state broadcaster. “If a paywall is applied, the general public cannot have access to these important articles, and this is something that narrows down the pool which the average Hungarian, anyone, can get information from,” said Emese Pásztor, director at the Hungarian Civil Liberties Union.<sup>31</sup> For this reason, many independent outlets in Hungary that are fulfilling a public service function are still opting against strict paywalls. “At Telex we feel this responsibility [that] if we put the content behind a paywall, then not everybody will afford to consume fact-based journalism,” explained Veronika Munk.<sup>32</sup>

## Navigating gaps between different consumption habits

Public broadcasters and local press outlets are especially struggling to reinvent themselves to appeal to younger generations—a concern highlighted by experts interviewed in France and Italy. Building brand loyalty and monetizing engagement with the next generation of news consumers also remains a difficult quest for newspapers worried about their bottom line. Robin Alexander, deputy editor at the newspaper *Die Welt* in Germany, reflected on the difficult task of bridging these gaps on social media platforms: “Now you have younger people in Germany, for whom Instagram is a primary source. So, do we have an obligation to be on Instagram if we want to reach the audience? I think so, but if we do not have a

mechanism to make money out of it, that is a problem.”<sup>33</sup> While publishers increasingly recognize the need to take content to where audiences are, financial incentives to do so are lacking.

On the other hand, older generations continue to rely on traditional sources of news: a 2022 Eurobarometer survey of participants in EU countries found that 85 percent of respondents over age 54 primarily get their news from television.<sup>34</sup> In some cases, well-established consumption habits can entrench “information bubbles” that limit exposure to a multiplicity of perspectives. Estonia, for example, has a significant Russian-speaking minority, and generations that grew up under the Soviet Union have long watched Russian state television. The Russian regime’s full-scale invasion of Ukraine in February 2022 heightened concerns about the prevalence of propaganda disseminated by Russian media. The Estonian government acted quickly to ban the retransmission of Russia’s state-backed channels, although people can still access these channels near the border, via antenna.<sup>35</sup> In turn, the Estonian government has also increased investments in Russian-speaking media to promote alternative viewpoints among this segment of the population.

The following case study examines how public service media are addressing information gaps in Estonia and Germany.

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- Robin Alexander, deputy editor at the German newspaper *Die Welt*

# Case Study: How Public Service Media in Estonia and Germany Are Bridging Information Gaps

Public service media across Europe find themselves at a crucial point. As they seek to fulfill their vital role in promoting healthy democratic debate in the digital age, they face the challenge of reaching increasingly fragmented media landscapes while also fighting to justify public funding amid economic pressure. Experiences from Estonia and Germany showcase recent, successful efforts by media to reach key audiences and reassert their ability to provide trustworthy information across different segments of society.

## A public service channel for Estonia's Russian speakers

Estonian authorities have long sought to shield the country from pro-Kremlin disinformation campaigns, and in recent years have become more active in this regard. In 2015, the Estonian public broadcaster (Eesti Rahvusringhääling, or ERR) launched a dedicated Russian-language television channel called ETV+,<sup>36</sup> alongside a regional studio in the town of Narva, where most of the population speaks Russian.<sup>37</sup> The government also accelerated measures in the immediate aftermath of Moscow's full-scale invasion of Ukraine in 2022, stopping the broadcasting of several Russian television stations and restricting access to certain websites on the grounds that were disseminating Kremlin propaganda. To more constructively counter harmful narratives, it also increased investments in Russian-language journalism at Estonia's private outlets and public broadcasting.<sup>38</sup>

The motivation for launching ETV+ was both to provide the country's Russian-speakers with news about Estonia's current affairs, but also to give an alternative viewpoint on international events and conflicts. "I think Estonia is doing the right thing because if you want to reach a minority, you have to speak to them in their own language and you have to invest in this media," said Ekaterina Taklaja, editor in chief at ETV+.<sup>39</sup> Its editorial team has scrupulously focused on providing independent, balanced content. For example, when the Estonian government decided to remove a Soviet-era

World War II memorial from Narva in August 2022,<sup>40</sup> a talk show on ETV+ sought to create open debate on the matter. Taklaja explained: "We invited not only representatives of the state, historians, different experts, but also representatives of the local community who live on the border with Russia. And they just talked about how people feel about this and how the government's communications could have been different or what should have been done differently."

However, providing a platform with nuanced coverage is not an easy feat for an outlet serving a population divided by tense geopolitics, particularly since the invasion of Ukraine.<sup>41</sup> Helle Tiikmaa, a former broadcast journalist and now president of the Estonian Association of Journalists, reflected on the challenges faced by Estonia's Russian-language public broadcaster: "They are playing in a two-sided field in some sense, they are trying to fulfil the expectations of different sorts of Russian-speakers. And that is difficult because there are sometimes conflicting interests, between persuading people who believe what comes from Moscow into watching something from the Estonian side, and sometimes it means that they lose the faith of Estonian-minded viewers."<sup>42</sup>

Nevertheless, the Estonian government has increased support for Russian-language media. With additional resources, ETV+ invested in a daily evening program and a weekly foreign

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- Ekaterina Taklaja, editor in chief at ETV+

affairs program, as well as a Russian-language version of the public broadcaster’s video-on-demand platform. The strategy seems to be paying off. Public trust in the broadcaster among Russian-speakers has increased, according to recent surveys, although levels of trust in the broadcaster are still lower than among native Estonian speakers.<sup>43</sup> Viewership has also increased, recovering from low numbers when ETV+ first launched.<sup>44</sup> In 2022 the channel boasted record ratings, a jump that is also partly due to authorities’ move to ban competing Russian television channels earlier that year.<sup>45</sup>

Sustaining this momentum will continue to present challenges for the channel. One of them is the ability to attract younger Russian-speaking talent from a small pool of people, as Taklaja explained: “You have to study journalism in Estonian, and the chances that you will go back to Russian-language media after that are very small because if you really succeed, then you would rather go to Estonian-language media, which are bigger and offer better career opportunities. Also, many of the students who study for years in Estonian lose the high standard of Russian required for the profession by the time they graduate.”

### Meeting younger audiences where they are

Having long functioned as broadcast-only organizations, Germany’s regional network of public service media was

born from postwar endeavors to build a system that could thwart any government attempt to harness media to amplify propaganda.<sup>46</sup> Today, the rise of digital platforms is revolutionizing the way they distribute and tailor content, especially to engage younger audiences online. But the path toward establishing a lasting role in the digital era is complicated by funding and other challenges, and the broadcasters have at times found their futures entangled in political debates.<sup>47</sup> Convincing younger generations to engage with public service media is key to their future endeavors.

“On YouTube or TikTok or Instagram, there are interesting projects within public broadcasters that have a focus on youth topics. Sometimes the viewers do not even realize that what they just saw is coming from public broadcasters.”

- Günter Bartsch, Netzwerk Recherche in Germany



Journalists work in the editorial office of the Russian language television channel ETV+ in Tallinn, Estonia, in September 2015. (Photo credit: REUTERS/Ints Kalnins)

Recognizing that younger audiences are less likely to consume news on television, German public service broadcasters are experimenting with content on social media platforms. “On YouTube or TikTok or Instagram, there are interesting projects within public broadcasters that have a focus on youth topics,” said Günter Bartsch of Netzwerk Recherche. “Sometimes the viewers do not even realize that what they just saw is coming from public broadcasters.”<sup>48</sup>

One such example is the information and entertainment network “funk,” launched by the public broadcasters ARD and ZDF in 2016. Its content is exclusively online and is aimed at people in their teens and early twenties.<sup>49</sup> Different types of content are disseminated on YouTube, Instagram, and Facebook, among other platforms, as well as on their dedicated website and app. Some individual news programs have also placed their bets on online-platform engagement. The reputable Tagesschau (“Review of the Day”) news program aired on ARD’s Das Erste channel became one of the first in Germany to use the video-sharing platform TikTok

in 2019, and their profile now boasts more than a million followers.<sup>50</sup> Content often focuses on more interactive or conversational videos, in contrast to content produced within formal studio settings. Deutsche Welle’s first TikTok account, called DW Berlin Fresh, is also engaging younger audiences with a mix of news and cultural content focused on life in the capital city.<sup>51</sup>

As broadcasters experiment with new strategies, discussions on how to modernize supportive frameworks are underway. In 2022, heads of the 16 federal states approved a proposed reform to the Media State Treaty, which reemphasized the remit of broadcasters in providing a platform for dialogue that involves the whole of society; it also expands broadcasters’ mandate so channels can more easily move onto the internet.<sup>52</sup> While the reform seeks to enable more flexibility in keeping up with shifting practices online, tensions with private broadcasters continue to flare, as they call for greater regulations to ensure fair competition.



# The Battle for Public Trust in Fragmented and Polarized Media Landscapes

As misinformation and disinformation compete with factual reporting for people’s attention, maintaining credibility as a trusted source has become a crucial challenge for news organizations. Growing distrust of media has given way to outright antagonism, and journalists are increasingly vulnerable to online abuse and physical attacks. During COVID-19-related protests in Germany, Italy, and France, for example, members of the public insulted, spat at, and physically attacked journalists covering the events.<sup>53</sup>

Levels of trust in media vary among countries as well as among types of outlets. According to the 2022 Flash Eurobarometer survey, public service broadcasters are the most trusted sources of news in Estonia (67 percent), Germany (62 percent), France (49 percent), and Italy (45 percent), followed by the written press (including online) and private broadcasters.<sup>54</sup> The picture is more fragmented in Poland, where the public broadcaster functions largely as a mouthpiece for the ruling party; Polish respondents listed private broadcasters as their most trust sources of news (43 percent), followed by people, groups, or friends on social

media or messaging platforms (26 percent). In Hungary, where the public broadcaster has been effectively captured, respondents first listed people or groups on social media or messaging platforms (25 percent), followed by other online news platforms (22 percent), which tied with public broadcasters (22 percent). These differences suggest that trust in media is low in landscapes with greater polarization and media bias, prompting people turn to less formal sources of news to confirm their views.

## Delegitimizing credible media

News organizations have increasingly found themselves in the crossfire of populist politics, which capitalize on antiestablishment frustrations and people’s distrust of traditional institutions, including the media.<sup>55</sup> In Germany, despite high levels of overall trust in traditional media, distrust in “Systemmedien” (“media of the system,” a pejorative term for public broadcasters) has coincided with the rise of the far-right party Alternative for Germany (AfD), which is especially strong in the eastern states.<sup>56</sup> AfD has



Wearing a placard that reads “The corrupt media are the virus,” a protester against France’s COVID-19 health pass addresses a crowd in Toulouse, France, in January 2022. (Photo credit: Alain Pitton/NurPhoto)

denigrated public service media and targeted their funding, while maximizing attention-seeking tactics to garner media coverage.<sup>57</sup> “As a party, they are quite clever in using, for example, public service media and the entire media system to their advantage, while at the same time officially being opposed to it,” explained media journalist Steffen Grimberg, who sees shrinking trust as one of the biggest threats for media in Germany.<sup>58</sup>

Strategies built on destroying trust in media and other democratic institutions have emboldened leaders who seek to evade public scrutiny and impose their own narratives. Attacks reached new heights in Hungary, where ruling party Fidesz has actively cast independent journalists as adversaries rather than essential democratic counterweights. Fidesz relies on a loyalist media machine that includes the national news agency, the public broadcaster, regional outlets, and social media influencers, to propagate harmful narratives. In January 2023, investigative outlet Átlátszó was targeted in what appeared to be coordinated smear campaign across several progovernment media outlets that accused it and its journalists of serving foreign interests.<sup>59</sup> “They want to attack our credibility...it means that polarization is getting worse. We want to talk to all of the Hungarian audiences, and we do not want to talk exclusively to the opposition. That is why these smear campaigns are happening,” said Tamás Bodoky, editor in chief of Átlátszó.<sup>60</sup> The term “Dollar media” has increasingly been used by Fidesz-supportive media and influencers to smear the few independent outlets that produce investigative reporting and critical journalism. The term is meant to advance the false implication that independent outlets are beholden to the objectives of foreign donors.

**“They want to attack our credibility... it means that polarization is getting worse. We want to talk to all of the Hungarian audiences, and we do not want to talk exclusively to the opposition.”**

- Tamás Bodoky, editor in chief of Hungarian investigative outlet Átlátszó

## An eroding middle ground

In turn, concerted political attacks against independent media can undermine a shared sense of facts, and consequently, the ability of media to engage in constructive public debate. In Hungary, political polarization has entrenched audiences into two opposed camps based on who trusts what. Ervin Gúth, who runs a local newsletter in the southern city of Pécs, explained how this divisive line operates even at the local level: “There is a huge proportion of the population that is never going to read my newsletter, because there is an independent label on it. If you put the label ‘independent,’ it means that you are against Fidesz.”<sup>61</sup>

In Poland, independent media are similarly left fighting a perception that they are opponents of the ruling party rather than sources of information: “We cannot build a public trust with people who are on the other side because they do not trust us even with existing facts. Building public trust sounds very nice, but in the reality of a very deeply polarized society, it is not that easy. And there are some media outlets that are actually thriving on that,” noted Łukasz Lipiński, deputy editor in chief of *Polityka* magazine.<sup>62</sup> Since coming into power in 2015, government pressures against independent media and increased control of media narratives within public broadcasters have further polarized a media landscape that largely mirrors ideological conflicts between the ruling party and its opponents.<sup>63</sup>

Meanwhile, the picture remains more optimistic in countries where politics are still largely driven by consensus and deliberation, despite a fringe of people that reject mainstream media. Robin Alexander, political reporter for the newspaper *Die Welt*, suggested that “one big advantage of Germany is that our society is not as split. You do not have a situation where from a normal person’s media consumption, you could predict their vote.”<sup>64</sup> Within a less polarized landscape, a middle ground can still foster healthy debate across politics, society, and the news media.

## The effects of weak editorial standards, conflicts of interest, and lack of transparency

Observers also criticize shortcomings in the media industry itself to explain the erosion in public trust. In a country where news media has been closely intertwined with politics,

Italy's high levels of media partisanship and weak levels of professionalism continue to undermine audience trust. According to the Reuters Institute's Digital News Report in 2022, only 13 percent of Italian poll respondents think that media are independent from undue political or government influence.<sup>65</sup> Media experts in Italy pointed to ingrained newsroom cultures and polemic-driven news agendas, highlighting the need to better educate journalists about the responsibility of the press to pursue a watchdog role, defend transparency, and adapt to changing user needs. "If Italian journalists do not change, you cannot change the relationships that you have with your users," argued Sergio Splendore, who teaches a course about journalism, media, and politics at the University of Milan. However, increased financial pressure on legacy media has limited investments in innovation and quality news online. The websites of major Italian newspapers have especially faced problems with poor quality, as they are confronted with pressure to cover relentless news cycles despite strained editorial resources.

In France, ownership concentration among big industrialists has given way to concerns among the public about potential conflicts of interest. Only 21 percent of respondents in France believe that media are independent from undue political or government influence, and just 19 percent think that they are independent from undue business or commercial influence, according to the same 2022 Reuters Institute study.<sup>66</sup>

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According to Augustin Naepels of the digital news site Les Jours, “one of the main reasons for this mistrust is the lack of transparency and independence from media. And this is almost a cliché... the perception of financial dependence on big businessmen is really problematic.”<sup>67</sup>

However, some independent digital outlets have begun to experiment with new models focused on quality, transparency, and a renewed relationship with audiences. The following case study describes how some French and Italian digital-first outlets have worked against the grain to build credibility.

# Case Study: How Digital Media Start-ups in Italy and France Are Building Credibility

Even though France and Italy have well-developed media landscapes, by international standards they both rank low in terms of people's trust in the media, and their independence from vested political and business interests.<sup>68</sup> Against this backdrop, a contingent of emerging digital outlets in these two countries is championing editorial standards and transparent structures with a community of loyal readers. While the landscape for new ventures remains fragile, their best practices highlight strategies for building credibility in low-trust environments.

## Pledging honesty and clarity

Since launching *Il Post* in 2010, editor in chief Luca Sofri has built a base of paying members by prioritizing clarity of information and a commitment to strong editorial standards. Notably, the outlet has upheld a responsibility to issue corrections if they make mistakes; such acknowledgments are rare in Italy. "When we created *Il Post*, we decided that we wanted to do something different, something that you could sum up in three different approaches. One was to be trustworthy. Second, we wanted to be clear and work on explanatory journalism in Italian news. And third, we wanted to be more contemporary about what is happening. This is something that worked for us because nobody was doing this in Italy," explained Sofri.<sup>69</sup>

The value of trustworthy information became a matter of life and death when the COVID-19 pandemic first began to

emerge in Italy, and national media outlets scrambled to report on the unfolding crisis. When Italy locked down in February 2020, the initial media response was riddled with sensationalist and contradictory information.<sup>70</sup> *Il Post* launched a free daily newsletter focused on providing accurate and data-driven information about the pandemic. Sofri recounted how 70,000 people from all walks of life subscribed to the newsletter in the first two weeks of its existence, expanding *Il Post's* reach beyond the small niche of readers they had cultivated over the previous decade. Sofri noted the importance of striking the right balance between the outlet's own editorial identity and pursuing a more relatable and inclusive tone, as a broader range of people entered the fold.

## Building community

Some outlets are experimenting with community-building initiatives to stay connected and relevant to their readers. Participation is at the center of the reader-funded French investigative publication *Mediacités*, launched in 2016 with a mission to provide "useful journalism that helps readers to participate actively and freely in the life of their city."<sup>71</sup> Covering the cities of Lille, Lyon, Toulouse, and Nantes, *Mediacités* regularly invites their members to public meetings and to participate in surveys. At the end of 2019, it launched a platform called *#DansMaVille* ("In My City"), which encouraged reader contributions (survey participation, personal accounts, and professional expertise, for example), in editorial campaigns for change at the local level.<sup>72</sup>

## Championing independence and transparency

Trust is not only earned through quality content and engagement: it is also increasingly linked to business models and forms of governance. A trailblazer in the French independent media scene is the investigative news portal *Mediapart*, created in 2008, which publishes everything from declarations of interests of its journalists to subscriber numbers and turnover.<sup>73</sup> The outlet has championed its successful subscriptions-based model as a firm guarantor

**"We have been working a lot on trust and doing things together with our readers. We did it because we believed in this, but actually it worked commercially too."**

- Luca Sofri, editor in chief of Italian news website *Il Post*

of autonomy from vested economic interests, which has enabled the outlet to grow with no advertising revenue or public subsidies.<sup>74</sup> In 2019, the founders reinforced safeguards against potential takeovers by transferring their shares to a nonprofit “fund for a free press.”<sup>75</sup>

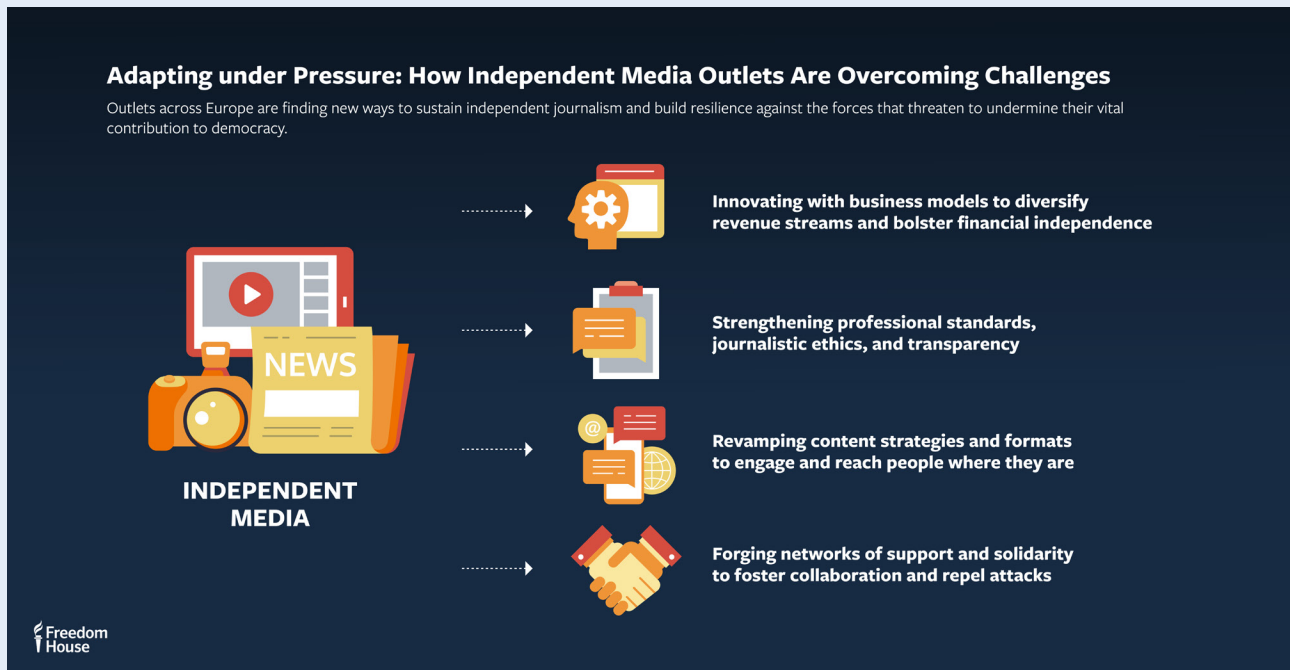
Les Jours was one of the first media outlets in France to test “equity crowdfunding” as a way to diversify its capital and bolster its independence.<sup>76</sup> This model allows readers to make a donation in exchange for an equity share in the outlet. As co-founder Augustin Naepels explained, “From the start we committed to the principle that media should be a glass house. We try to involve our community directly in our capital. And we try to be as transparent as we can about most aspects of our business, including publishing all the subsidies we receive.”<sup>77</sup> Indeed, tax schemes introduced in France have sought to encourage more diversified investments in media: in 2015, a specific status of “entreprise solidaire de presse d’information” (solidarity press company) was introduced, granting beneficial tax deductions for individual donations.<sup>78</sup> Alongside regular reporting on its finances, participatory financing models can be a way to build collective ownership that protects an outlet’s independence.

In their own ways, these outlets have sought to remedy some of the causes of reader disenchantment by rethinking business and editorial practices. Their commitments to more

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transparency, accountability, audience engagement, and quality content are key ingredients in the struggle to rebuild public trust and defend factual information in the midst of disinformation and propaganda. While they still operate within ecosystems dominated by bigger players, some are eyeing broader reach as the ultimate challenge. “Our small success is still a niche success. When we launched, I said that we wanted to be an elite product for the masses. We still have to reach the masses,” said Sofri.



# Investigating the Truth, and Efforts to Silence It

Media outlets navigate a treacherous environment when pursuing stories that scrutinize matters of public interest. Powerful actors are opting for more covert tactics to stifle reporting that unearths uncomfortable truths, such as denying journalists access to information and using baseless legal threats and actions to intimidate their targets in media.

Perpetrators are also moving beyond defamation lawsuits—which have been common for years—to a wider array of accusations to harass targets. Civil society organizations have increasingly raised the alarm about SLAPP (strategic litigation against public participation) lawsuits targeting journalists and media outlets across the region. Typically launched by powerful and moneyed individuals, SLAPPs are specifically intended to intimidate and silence acts of public participation, including public interest journalism. They also threaten to entangle targets in endless litigation. According to the Coalition Against SLAPPs in Europe (CASE), SLAPP cases are particularly effective where the rule of law is lacking, but laws can be exploited even within robust environments.<sup>79</sup>

## Abusive legal attacks drain investigative reporting

Baseless lawsuits are taking a toll on many cash-strapped news outlets. In interviews, media professionals described the energy and resources it takes to tackle such cases, often distracting them from doing their work. In Poland, a country where SLAPP cases have especially proliferated, the daily *Gazeta Wyborcza* has braced itself for a barrage of legal threats from public officials, state institutions, and companies.<sup>80</sup> “We have to fight 24/7. We have only two in-house lawyers to work on that. It takes time, energy, consumes resources, and also the resources of our journalists who must respond to SLAPPs while they should continue their real job,” explained Piotr Stasiński, a longtime editor at the paper.<sup>81</sup>

The range of laws and pressure tactics powerful actors are harnessing to harass public-interest reporters is growing. According to the Hungarian Civil Liberties Union (TASZ), which provides legal aid and pursues strategic litigation in defense of the free press, less straightforward cases filed

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*Gazeta Wyborcza*

against news outlets in Hungary have sought to use European Union (EU) data-protection regulations to silence coverage. Another recent case involves accusations of criminal violation of copyright.<sup>82</sup> In late 2022, a criminal probe launched by tax authorities increased pressure on one of the last defiant media moguls in Hungary, Zoltán Varga, whose Central Media Group owns the independent news outlet 24.hu. This came on top of smear campaigns, targeted surveillance, and other efforts to sway the outlet’s editorial line.<sup>83</sup>

Abusive defamation laws against media remain common, and criminal defamation is frequently wielded against the media in Poland and Italy. Given financial weaknesses facing many cash-strapped outlets and journalists, the impact of these threats on self-censorship is most likely underreported. In Italy, where freelancers are often those doing hard-hitting investigations, the lack of legal and financial backing can deter many from pursuing sensitive stories. According to Cecilia Anesi, investigative reporter and co-founder of the Investigative Reporting Project Italy (IRPI), “The result of all

that is that both media outlets and journalists avoid reporting on certain issues because of the pressure that comes out of it.” Moreover, civil lawsuits can be particularly worrying for the survival of media companies, given that they can entail excessive damages: “If you are found guilty, they can take away all the finances of the media company, meaning no more money to sustain the newsroom and production,” noted Anesi.<sup>84</sup>

Declining judicial independence forecasts a bleaker outlook for journalists investigating sensitive political issues in Poland and Hungary. While *Gazeta Wyborcza* mostly still wins cases that end up going to court, the Law and Justice party’s encroachment on judicial independence is affecting the paper’s success rate in fighting certain cases. “It is like a domino effect,” said Piotr Stasiński, describing the biased appointment of judges by the now-politicized National Council of the Judiciary. “The impact on us is that we start losing cases, which are obvious cases that we should win if judges were really independent.”

In Hungary, higher-level courts tend to favor the government, especially the Constitutional Court. “Before we go to the European Court of Human Rights, we have to exhaust the Hungarian Constitutional Court. And that is a very long and not very successful process for us,” said Dalma Dojcsák of TASZ.<sup>85</sup>

## Government secrecy constrains access to information

Despite freedom of information (FOI) laws, media professionals also described a variety of barriers to obtaining and using information from public bodies and officials. These ranged from increasing frequency of the “for official use” stamp on state documents in Estonia, to unanswered requests for information in Italy. Barriers for independent outlets in Hungary and Poland have become increasingly impenetrable. “The government is denying us information which actually should be public legally. They are canceling accreditation or blocking entrance to certain events. They are making some events open only to journalists who are friendly to government,” explained Łukasz Lipiński of *Polityka* magazine in Poland.<sup>86</sup>

These bureaucratic obstacles have a particularly damaging effect on investigative work that relies on timely data and public records. According to András Pethő, co-founder of the investigative outlet Direkt36 in Hungary, the barriers have increased compared to a decade ago: “You can still file public-information requests with the government or other state organizations. Officially, they are supposed to give you records and data, but that hardly ever happens, because they always come up with excuses. And then you have to go to court, and that takes time, which is a big barrier.”<sup>87</sup>



Italian journalists demonstrate against gag lawsuits in front of a court in Rome, Italy, in November 2022. (Photo credit: Matteo Nardone / Pacific Press/Sipa USA)

Even when information requests are pursued in court, the process can be drawn out and the outcome is often unsatisfying. For example, during the COVID-19 pandemic, TASZ and the independent outlet Telex launched a lawsuit challenging a government rule that prevented independent media from entering hospitals. The Supreme Court eventually ruled that hospital directors, not the government, could decide whether to grant access to journalists. However, a government decree introduced days later handed that responsibility back to a government office, effectively abrogating the decision.<sup>88</sup>

## Surveillance tools endanger the confidentiality of journalistic sources

In addition to legal and institutional tactics, there have been revelations in several EU countries about authorities targeting independent journalists with advanced spyware technologies.<sup>89</sup> The threat of surveillance can prompt sources to remain silent for fear of being identified. In 2021, a collaborative investigation found that Hungarian journalists were amongst those targeted by Pegasus, a sophisticated spyware tool developed by Israeli company NSO Group.<sup>90</sup> A forensic analysis of devices by nongovernmental organizations revealed that targets included journalists at Direkt36 and people close to Zoltán Varga of Central Media Group.

Although investigations could not directly confirm who deployed the tool against identified targets, the case heightened concerns about politically motivated surveillance by Hungarian authorities under permissive national security provisions, and highlighted the difficulties in effectively investigating and remedying these abuses. While the Hungarian government eventually acknowledged purchasing the spyware, authorities maintained that it had used it in accordance with Hungarian law.<sup>91</sup> To expose the Hungarian government's invasive surveillance practices and counter politically motivated abuses, in January 2022 TASZ announced the launch of domestic and international legal procedures against the Hungarian state and NSO Group, in the first case brought by Pegasus victims against an EU state.<sup>92</sup> In turn, the EU has come under increased pressure to tighten safeguards around the use, sale and acquisition of spyware, and effectively address abuses within the bloc.<sup>93</sup>

**“You can still file public information requests with the government or other state organizations. Officially, they are supposed to give you records and data, but that hardly ever happens, because they always come up with excuses. And then you have to go to court, and that takes time, which is a big barrier.”**

- András Pethő, co-founder of the investigative outlet Direkt36 in Hungary



# Case Study: Building Resilience against Legal Threats

Media outlets across Europe have been battling intensifying legal threats from powerful politicians and businesspeople seeking to silence journalists and avoid accountability. In response to these pressures, more organizations across Europe are calling for reforms to address the blind spots and loopholes that enable abusive legal tactics. The experiences of media outlets in Poland, Hungary, and Italy showcase how support networks and other safety nets can help mount stronger defenses against SLAPPs and similar abuses.

## Increasing resources to equip outlets and journalists with safety nets

In Poland, *Gazeta Wyborcza* Foundation's Investigative Journalism Initiative started providing grants for independent investigative journalists across the country in 2021. The program is designed to support the kind of long-term investigations that are costly in both time and resources, and includes funding for grantees in case of legal threats. "Journalists, particularly in small towns, are simply afraid to

dig in and do investigative work, because they know they can be legally harassed or face court cases. Part of our work here is also to tell them that if you need legal support, we will also help you with that," said Miłosz Wiatrowski, who helped to organize the initiative. At times, some outlets have decided not to publish investigations, fearing damaging repercussions. "In those cases, we are also providing support by using our network to find an outlet that will publish it," said Wiatrowski.<sup>94</sup>

Pro bono legal aid provided by organizations such as Poland's Helsinki Foundation for Human Rights and the Hungarian Civil Liberties Union can be critical for media outlets unable to afford an in-house lawyer. Legal support is not only crucial after a lawsuit lands: legal vetting prior to publication can also provide more certainty about the outlet's ability to defend itself once a piece does run. This thorough approach is what gives András Pethő of Direkt36 in Hungary more confidence in winning any case that might be brought against their outlet: "We are rarely sued, because we are very careful. And we always make sure that we are okay to publish, especially if it is something legally sensitive."<sup>95</sup>



Representatives of the Coalition against SLAPPs in Europe (CASE) deliver a petition to the European commissioner for values and transparency, Vera Jourova, calling for an EU directive against SLAPP lawsuits, in Brussels, Belgium, in February 2022. (Photo by JOHN THYS / AFP)

However, even when outlets are confident about their ability to win a case, they can still face costly retaliatory lawsuits. Legal defense funds managed by global networks can be a lifeline. In November 2022, the Organized Crime and Corruption Reporting Project (OCCRP) launched the “OCCRP SLAPPs Back” campaign to raise money for a legal defense fund to provide relief to outlets and journalists in its global network, which include Direkt36 and Átlátszó in Hungary and IрпиMedia in Italy.<sup>96</sup> As part of an emerging international response with OCCRP and partners, a newly launched membership program called Reporters Shield is inviting eligible outlets to join and receive accessible legal defense.<sup>97</sup>

### Forging collaborations and joining networks of support

For investigative outlets wanting to pursue sensitive and complex investigations, international collaborations have provided crucial platforms to support and amplify their work. Direkt36 was part of the international investigation led by Forbidden Stories that exposed the use of Pegasus

spyware to target Hungarian media, lawyers, and politicians in 2021:<sup>98</sup> “Because of its sensitivity, the story required technical, security, editorial, and legal support. It was something that we certainly would not have been able to pull off ourselves,” said András Pethő.

As outlets increasingly face similar challenges, international networks also give them more visibility and opens doors to larger networks of support. For Cecilia Anesi of the Investigative Reporting Project Italy (IRPI), “being part of these kinds of collaborations is very qualifying and good for a center like IRPI for two reasons. Of course, we have the chance of doing better reporting and collaborating with colleagues. But also, whenever something bad happens, you are not alone.” Alerts and advocacy support from international organizations can also put a spotlight on abuses, as Tamás Bodoky of Átlátszó explained: “There is an international safety net, which will take my complaint and publish it. I think that is very important because that is something the Hungarian state is aware of, and they do not want this type of attention in the international press.”<sup>99</sup>

On the other hand, domestic awareness and support is not always well developed. In winter 2022, IRPI launched a small campaign to raise public awareness about SLAPPS in Italy and encourage donations from individuals to support their cause. “I think that we could work more on building an internal network within our country of different NGOs and different media centers for better awareness. Also, to really help out all the freelancers who do not have any support,” said Anesi.

### Toward broader coalitions for change in Europe

Media-sector activism and network formation to protect against damaging lawsuits have united organizations across Europe—not just in supporting journalists, but also in exposing the magnitude of the threat and advocating for meaningful reform.<sup>100</sup> In April 2022, the European Commission’s proposed “anti-SLAPP” directive signaled a first step toward a stronger set of rules to address cross-border SLAPP cases, with recommendations for member states to review their own laws for domestic cases.<sup>101</sup>

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## Recommendations

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Newsrooms across Europe face significant pressure. They are having to find new ways to fund independent reporting and defend journalistic integrity amid a rising tide of disinformation, while powerful political and business interests work to deflect media scrutiny. Barriers to accessing information in the public interest and an avalanche of costly legal threats hinder their ability to act as watchdogs. Legacy media are struggling to bridge generational divides and reach diverse audiences. Though the most pressing concerns vary across the six countries under study, taken together they represent common themes that are relevant in many democratic societies.

Governments, regulators, public institutions, and outlets themselves can confront these challenges and foster environments where independent media flourish as a core component of a democracy. The European Union (EU) is now moving from a patchwork of policies toward more comprehensive legislative efforts to counter attacks that undermine media pluralism and independence. More holistic policy responses should be designed to help create a level playing field and bolster trust in independent media. While specific responses should address each local context, lessons from European countries more broadly can provide guidance to stakeholders in democratic societies elsewhere. These include strategies that can guard newsrooms against political and legal attacks—notably new funding mechanisms, ownership models, and incentives to encourage audiences to pay for quality news. In a fragmented information environment, much can also be learned from the role of strong and well-funded public service media in fostering informed public debate.

### Address government attacks on free and independent media as a rule-of-law issue in the EU

- **The European Commission should defend media freedom and pluralism as essential to the rule of law.** It should deploy all tools available to hold EU member states accountable for systematic attacks on independent media and media pluralism. This includes monitoring for violations, as well as implementing enforcement mechanisms like infringement procedures and financial penalties against member states that engage in abuses. Media freedom concerns should be clearly addressed in proceedings under Article 7 of the Treaty on European Union (TEU), which

allows the EU to provide formal warnings or suspension of certain rights for members that fail to uphold the common values of the EU. Regular hearings should keep Poland and Hungary on the agenda. The commission should also systematically follow up on the implementation of country-specific recommendations in its annual rule-of-law reports.

- **European legislators should work with civil society groups to strengthen the European Media Freedom Act.** It is promising to see the act's focus on increasing ownership transparency, protecting the independence of public service media, countering the discriminatory allocation of state resources, and safeguarding against the use of spyware. Legislators should ensure that provisions are effective in combatting the methods of media capture that were pioneered in Hungary and which are taking root in neighboring countries.

### Support sustainable independent media

- **Governments should foster environments where innovative financing models can thrive.** Democratic governments should ease obstacles that make it harder for media outlets to be granted nonprofit status, which would enable them to receive donations and lower their tax burden. Audience revenues will remain crucial for media to finance themselves; governments should bolster mechanisms that encourage people to donate to media organizations of their choosing, such as income-tax designations or tax relief on digital subscriptions.
- **Funders should scale up support for high-quality reporting.** Public and private funders should support independent media while safeguarding against editorial interference. At the international level, investments in multistakeholder initiatives such as the International Fund for Public Interest Media are helping to unlock new resources to support independent media where they are most at risk of market failure. In Europe, the investment coalition Pluralis has brought together media companies, foundations, and impact investors to prevent state monopolization of outlets and defend pluralism.
- **Governments should build firm guardrails against media market distortions.** A range of funding schemes within countries, including indirect and direct state subsidies, can support quality reporting. States

should ensure that any support to media includes safeguards that protect pluralism in the market and editorial independence. The allocation of public subsidies, including state advertising, should be based on objective, nondiscriminatory criteria, and follow transparent procedures. Under the 2019 EU copyright directive that enables press publishers to negotiate payment for the use of their content by online platforms, transparent negotiations and a collective approach should ensure fair treatment toward smaller independent outlets that conduct public-interest journalism.

## Promote media diversity and inclusiveness

- **Democracies should ensure that all people have access to reliable news.** Public service media can play a crucial role in promoting a diversity of perspectives and fostering informed public debate across various segments of society. States should guarantee the editorial and institutional independence of public service media, and ensure that they are adequately funded and can reach audiences across various online platforms, including social media, without hampering competition with private media players.
- **Media organizations should prioritize diversity in their newsrooms, and cover a variety of perspectives.** The media plays an important role in revealing to broad audiences the realities individuals and societies face. Democracy is strongest when people and policymakers are well informed, so that government can work together with civil society and other stakeholders to address challenges and seize opportunities. To this end, media organizations should ensure that the makeup of their newsrooms reflects the diversity of issues facing society, and that they strive to include diverse sources in their coverage.

## Build trust and credibility

- **Elected officials and politicians should publicly stand up for the value of free media in a democracy.** Political leaders should state the extent to which we all benefit from the work of professional journalists who hold those in power to account, and forcefully defend media when they come under attack. Verbal attacks and incendiary rhetoric against the media by public figures increase the risk that journalists will face severe harassment or physical attack for their work.
- **Media organizations should demonstrate their trustworthiness through renewed commitments to ethical standards and transparency.** Media organizations, funders, and advertisers should engage with self-regulatory

initiatives to incentivize and promote compliance with professional norms. Civil society initiatives such as the Journalism Trust Initiative (JTI) launched by Reporters Without Borders in 2019 are providing new ways for stakeholders to identify and reward trustworthy journalism. JTI seeks to certify organizations' compliance with an objective set of standards around transparency and editorial process.

- **Independent regulators and media outlets should provide clear, publicly accessible information about media ownership.** Regulations in Europe do not consistently require media outlets to disclose who their true owners are, and media consumers are often left in the dark about owners' potential conflicts of interest. Outlets that are transparent about their ownership can earn greater trust from audiences; this information can also help regulators prevent excessive concentration of the media in the hands of a few owners. Civil society initiatives such as the European Media Ownership Monitor, cofunded by the European Commission, should continue to independently map the level of transparency of ownership information across member states.

## Protect the media's watchdog role

- **Public institutions should provide access to information for journalists, and ensure that requests are managed efficiently and fairly.** Authorities should not deter independent journalists from reporting on matters of legitimate public interest by unduly denying accreditation, restricting access to venues, or ignoring or denying requests for information. Public officials should regularly engage in press briefings to foster government transparency. In countries where governments are more hostile to media scrutiny, international news outlets can consider partnering with domestic independent media outlets that may not have the same access to government officials.
- **Governments should address the use of SLAPP (strategic litigation against public participation) cases to stifle investigative journalism.** The EU should promote a strong anti-SLAPP directive that would give journalists and media groups the ability to request rapid dismissal of these types of lawsuits, and provide financial support to media groups facing them. Domestic legislators should follow suit, including by decriminalizing defamation laws and expanding financial and legal safeguards for journalists. Donors should bolster support for civil society initiatives conducting crucial research, training, and advocacy, as well as for legal aid mechanisms such as Reporters Shield to ensure that journalists and smaller outlets have the necessary resources to defend themselves.

## Methodology

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As part of Freedom House’s evolving work to assess the challenges for free and independent media as a crucial indicator of democracy, this report examines pressures undermining news media’s role in democracy and emerging responses to overcome them. As a pilot project, we chose to cover a range of environments across the European Union varying by market size and health of their democracy. Research focused on six countries: Estonia, France, Germany, Hungary, Italy, and Poland.

On the basis of expert consultations, Freedom House developed a research methodology focusing on four conditions that are vital for independent news media organizations and their ability to play a constructive role in democracy: to remain financially viable, to reach and represent diverse audiences, to earn public trust, and to play a watchdog role without fear of retaliation. Covering each of these four dimensions, semistructured interviews aimed to qualitatively diagnose context-specific pressures facing the news media, and to identify promising responses.

Between December 2022 and February 2023, Freedom House conducted nearly 40 online and in-person interviews with a range of media experts and professionals. They included academics, representatives of civil society organizations, and media associations; as well as media practitioners including founders, editors in chief, news editors, journalists working for broadcast, digital, and print media, and freelance journalists who work for a range of outlets. Interview transcripts were analyzed and annotated, and country-level findings reviewed with expert advisors in March 2023.

The thematic case studies are based on examples of innovations and responses gathered through interviews, and complemented by desk research. They aim to contribute to a growing body of knowledge on solutions and forward-looking ideas that can help to future-proof media’s role in cultivating a healthy democracy. They are most at risk of market failure. In Europe, the investment coalition Pluralis has brought together media companies, foundations, and impact investors to prevent state monopolization of outlets and defend pluralism.

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