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**THE SHRINKING SPACE
FOR MEDIA FREEDOM
IN SOUTHEAST EUROPE
IN THE MIDST OF
COVID-19 PANDEMIC AND
STATE OF EMERGENCY**

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PREFACE

The coronavirus pandemic gripped the world at the start of 2020 in the most unexpected and sweeping manner. COVID-19 has posed not only an unprecedented health crisis but has also affected all other spheres of life, including politics, economics and society.

In these circumstances, the Center for the Study of Democracy together with the Media Programme South East Europe of the Konrad-Adenauer-Stiftung pioneered an investigation into the impact of the coronavirus on the condition of media freedom across the Balkan region. Already plagued by declining journalistic standards, murky oligarchic ownership and foreign interference, the press has come under renewed challenges. To illuminate them, media experts from Bulgaria, Romania, Serbia and Albania took part in an online discussion on 8th May 2020. The main insights which emerged have informed the current report. It offers a comparative perspective that details the similarities and differences in the constraints as well as potential opportunities that the journalistic profession has faced across the four countries.

What are the main factors that have contributed to the shrinking of the space for media freedom in Southeast Europe during the coronavirus pandemic? How has media been concretely affected? Are there opportunities for democratic revival that can nevertheless be identified in times of crisis? What could civil society, journalists and pro-democracy institutions do to deliver better outcomes? Our responses to these queries warrant the key overall conclusion that the pre-existing trends, which have determined the deterioration of freedom of expression, have been deepened and reinforced by the COVID-19 pandemic.

The study has encompassed the timeframe from the introduction of emergency legislation from March 2020 to August 2020. This has allowed us to observe the impact that the state of emergency, its subsequent lifting and re-imposition of further restrictive measures exercised on media landscapes in the Balkans. In line with the significant degree of uncertainty that COVID-19 brought into everyone's lives, an assumption about the duration of the coronavirus crisis remains in the realm of 'known unknowns'. Hence, our findings can be updated and built upon over the course of the development of the pandemic.

Yet, one thing is sure: crises shake up our established ways and offer a shift in perspective. And the lessons learnt from this crisis should make us better equipped to meet the next turning point.

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THE SHRINKING SPACE FOR MEDIA FREEDOM IN SOUTHEAST EUROPE IN THE MIDST OF COVID-19 PANDEMIC AND STATE OF EMERGENCY: A COMPARATIVE OVERVIEW

The Southeast European emerging democracies represent a vulnerable flank of Europe, as they have all been characterized by a compromised domestic governance framework resulting from persistent democratic deficits, institutional deficiencies, economic dependencies and contributing to the phenomenon of media captured by political-oligarchic interests. These internal and cross-regional predicaments have reinforced susceptibility to the malicious designs of authoritarian powers, which have capitalized on Balkan problems in order to undermine Euro-Atlantic integration and democratic development particularly by spreading propaganda messages. **During the pandemic, media freedom throughout the Balkans has come under renewed pressure**, expressed in the introduction of legislative infringements on the free operation of the media, attacks on journalists reporting on COVID-19, politically self-serving argumentation that the diversity of opinion should be limited in times of crisis for the sake of the preservation of public safety, the circulation of disinformation narratives and conspiracy theories. On the other hand, however, opportunities for democratic revival have emerged through civil societal push-back against media violations and governance backsliding.

This study thus sets out to assess the threats and opportunities brought about by the interaction of pre-existing, continuous trends of deteriorating media environment in the Balkan region and the new constraining – and potentially enabling, factors on the exercise of free journalism that the pandemic has introduced. The assessment is conducted within a conceptual framework that takes into account **three main dimensions contributing to the shrinking space for media freedom in Southeast Europe (SEE) in times of COVID-19**.

The first dimension refers to domestic politics and social trends as related to the political handling of the coronavirus pandemic (particularly through emergency legislation initiating restrictive media regulations) and the accompanying societal responses (such as through protests against stifling media freedom).

The second dimension encompasses the international domain and is linked to the activities of foreign authoritarian states (especially Russia and China), which have aggressively pushed their disinformation narratives on the coronavirus into the media space of SEE states.

Third, technological developments have also played a prominent role. The practices of technological companies, above all Facebook, have once again come into view as governments' need for data for coronavirus contact-tracing has exacerbated concerns about privacy. Yet, social media has also arguably provided space for enlarging civic debate.

These three dimensions are discussed in relation to the empirical record in Bulgaria, Romania, Serbia and Albania. The four states are representative of the differential degrees of integration in the Euro-Atlantic community and particularly in the EU. Bulgaria and Romania are fully-fledged members of the Union, Serbia is in the midst of conducting accession talks with Brussels, while Albania has been most recently invited to commence negotiations. Accordingly, such a selection allows casting a light on whether the extent of anchoring in Western institutions cushions the domestically-generated negative repercussions on media freedom.

Domestic politics and societal developments

Crises test and make even more manifest the gaps as well as best practices, characteristic of a system of governance. The coronavirus pandemic has represented an unprecedented public health challenge, which – although global in nature, has been most tangibly felt domestically. It revealed the extent to which sound, credible and transparent policy responses could be provided to tackle the socio-economic fallout from the pandemic.

In the four countries, **the coronavirus crisis has exposed long-standing governance deficits, limited the effectiveness of the policy responses and was exploited for the introduction of measures restricting fundamental freedoms.** The pervasive and all-encompassing nature of corruption in the Balkan countries has given rise to the phenomenon of state capture, whereby instead of public goods, the state capture process delivers systematically and permanently private goods to captors (or privatizers) of the government functions.¹ The key consequence of a captured state is thus the maintenance

¹ Stoyanov, A., Gerganov, A., and Yalamov, T. (2019). *State Capture Assessment Diagnostics*. Sofia: Center for the Study of Democracy, p. 15.

of and increase in the privileges of the captors through the utilization of public office for private gain. Captured states in turn beget captured media, whose ownership structures and editorial policies are controlled by political-oligarchic groups.² The key media strategy of the latter is to publicly defend their vested interests rather than to promote quality journalistic output, free debate or support the core function of the media to hold power-holders into account. Overall, such major governance vulnerabilities underwrite the compromised character of the internal accountability and oversight procedures common to Southeast European countries, which circumscribes the capacity of the domestic systems to produce policies in the name of the public benefit.³

In this political context, the introduction of a state of emergency as the main and immediate response to the pandemic represented an additional opportunity for power-grabbing governments to impose constraints on civil rights, in general, and the free operation of the media, in particular.

Accordingly, **a number of general concerns about an acceleration of the process of democratic backsliding predominated.** The way the emergency legislation was taken up – swiftly and without significant Parliamentary debates, raised questions about the observance of the role of Parliament as a key democratic institution. In Bulgaria, the absence of wide-ranging Parliamentary scrutiny and consultations was particularly visible,⁴ while in Romania a ‘militarized’ approach to tackling the coronavirus pandemic was established as the State of Emergency Decree meant that the country was to be ruled on the basis of a series of military ordinances.⁵

The scope of the emergency legislation posed a threat to fundamental freedoms. In the case of Bulgaria, for instance, legal experts sounded a warning in relation to the fact that an end date of the state of emergency was not initially indicated in the respective legislative act. Moreover, it was not spelled

² Filipova, R., and Galev, T. (2018). *Russian Influence in the Media Sectors of the Black Sea Countries. Tools, Narratives and Policy Options for Building Resilience*. Sofia: Center for the Study of Democracy.

Filipova, R. “The Oligarchs In Bulgaria Are The Main Controllers of The Media And Main Disinformation Proxies”. *Meta.Mk*, October 2, 2019.

³ Shentov, O. (2018). “Conclusion”. In: *The Russian Economic Grip on Central and Eastern Europe*. London: Routledge.

Stefanov, R., and Vladimirov, M. (2020). “Operating Political Networks of Influence”. In: *The Kremlin Playbook in Southeast Europe. Economic Influence and Sharp Power*. Sofia: Center for the Study of Democracy.

⁴ Gospodinova, V. „Парламент за еднолично управление” [Parliament for Self-Use]. *Capital Daily*, April 24, 2020.

⁵ European Union Agency for Fundamental Rights (2020). *Coronavirus COVID-19 Outbreak in the EU Fundamental Rights Implications. Country: Romania*. Vienna: FRA.

out which civic rights were being curtailed as the authority to introduce an unspecified set of 'other measures' was delegated to the Minister of Health.⁶

The state of emergency also entailed consequences for the conduct of elections. In Serbia and Romania, parliamentary and local elections were postponed, giving rise to accusations that the timing of the rescheduling was manipulated for political reasons.⁷ In the Serbian case, the relaxation of lockdown measures before the elections rescheduled for June 2020 and the attempted re-imposition of the measures afterwards has been criticized as political maneuvering allowing the vote to go ahead at a time deemed advantageous by the authorities in power.

The relaxation of the lock-down measures and repeal of emergency legislation has been similarly accompanied by suspicions of political cost-benefit calculations and a further infringement of rights. That is, rising social dissatisfaction with the severity of social distancing measures and the economic fallout from the pandemic has led decision-makers to soften those measures and 'de-escalate' the state of emergency. Hence, it was feared of a budding anti-government mood rather than a tangible improvement in tackling the health crisis (as cases of new COVID-19 infected patients have continued to rise exponentially) that made politicians reverse their approach to the pandemic.

Yet, the codification of watered-down legislative stipulations into a 'an emergency epidemic situation' in Bulgaria⁸ or 'state of alert' in Romania⁹ were once again criticized for limiting core freedoms. In Bulgaria, legal experts have argued that an emergency epidemic situation is still qualified as an emergency, albeit with a reduced scope referring to public health, and should therefore be declared by Parliament and not simply be transferred to the authority of the Council of Ministers and Minister of Health, as it was done.¹⁰

⁶ Bulgarian Judges Association „Извънредното положение не трябва да поставя в риск правната държава” [The State of Emergency Should Not Put at Risk the Rule of Law State]. *Dnevnik*, March 19, 2020.

⁷ Dimitrova, M. “Romania Postpones Local Elections”. *TheMayor.Eu*, April 16, 2020.

Vasovic, A. “Serbs Bang Pots to Protest Govt and Strict Coronavirus Measures”. *Reuters*, April 29, 2020.

⁸ Paunovski, G. „Положението става ‘извънредна епидемиологична обстановка’ – какво се променя” [The Situation Becomes an ‘Emergency Epidemic Situation’ – What is Changing]. *Dnevnik*, May 4, 2020.

⁹ Romania Insider “COVID-19: Romania Replaces State of Emergency with State of Alert”. May 4, 2020.

¹⁰ Vesselinova, M. „Юристи до КС: Извънредната епидемична обстановка е противоконституционна” [Law Practitioners to the Constitutional Court: The Emergency Epidemic Situation Is Unconstitutional]. *Capital Daily*, June 21, 2020.

Furthermore, **the state of emergency has exerted a negative impact on media freedom in all four countries.** An overall trend can be observed whereby decision-makers pushed for limiting freedom of expression and the diversity of opinions for the supposed sake of the public health benefit. This was justified by the argumentation that views criticizing government measures aimed at dealing with the coronavirus crisis could lead to public harm as a result of inciting behavioral deviance from the measures. In this way, government-provided and sanctioned information was promoted as the primary and most credible source on COVID-19.

One of the most important manifestations of this trend was related to the attempt, or indeed actual ability, to pass **excessive regulations against disinformation as part of the emergency legislation.** Under the guise of combatting coronavirus-linked fake news, such regulations went beyond tackling disinformation and restricted freedom of speech by vesting authorities with new powers for controlling the media. In Bulgaria, the introduction of the emergency legislation was accompanied by a bid to amend the penal code so that prison sentences and fines be imposed for the dissemination of coronavirus-related disinformation. Although this legislative initiative was vetoed by the President, a complementary bill called for the suspension of the operation of websites that spread disinformation of all kinds and not simply confined to COVID-19. The bill widened the scope of the Council for Electronic Media's authority, which – hitherto only responsible for monitoring radio and television, would decide without the need for obtaining judicial resolution what constitutes a disinformation offense.¹¹ Similarly, the decree establishing the state of emergency in Romania contained provisions, which gave authorities the power to remove or close websites spreading coronavirus fake news, without granting an opportunity for appeal.¹² In Serbia, the government initially passed (but later reversed) a decree penalizing local institutions from releasing information to media about the coronavirus that was not sanctioned by the government.¹³ Ultimately, in the most outstanding and explicit verbal assault on the media, Albanian Prime Minister Edi Rama issued a pre-recorded voice message, which played before any outgoing call an Albanian would make, urging the citizens to protect themselves from the media, among other measures for dealing with the coronavirus.¹⁴

¹¹ Andonova, Z. „Защо законопроектът на ВМРО срещу фалшивите новини е по-мракобесен от фиксираните цени“ [Why VMRO's Legislative Bill against Fake News Is More Dangerous than Fixed Prices]. *Dnevnik*, March 24, 2020.

¹² International Press Institute (2020). “Briefing: Press Freedom Suffers in Council of Europe Member States under COVID-19”, p. 6.

¹³ International Press Institute (2020). “Briefing: Press Freedom Suffers in Council of Europe Member States under COVID-19”, p. 7-8.

¹⁴ Taylor, A. “Albanian Prime Minister Edi Rama Called Out by Reporters Without Borders for Latest Attack on Journalists”. *Exit News*, April 9, 2020.

Moreover, **restrictions on access to information were introduced**, which led to significant obstacles and delays in the ability to obtain data and figures requested from national authorities. For instance, both Bulgaria and Romania doubled the amount of time for public bodies to respond to Freedom of Information requests from 30 to 60 days.¹⁵ In contrast, the scope of officially sanctioned, government communications has been much expanded through the conduct of live broadcasted press conferences, regularly given by decision-makers and the health experts composing coronavirus crisis headquarters. Such press conferences dominated TV time, frequently interrupting ongoing programs, while selectively determining journalists' access. As the case studies on Serbia and Romania reveal, the attempt to prevent journalists from posing critical questions in public further led to the establishment of online Q & A sessions with an additional vetting of access to the chat groups that were set up. The ability of journalists to report on COVID-19 has also been hampered through intimidation and harassment as evidenced by the rise in cases of verbal and physical attacks on as well as arrests of media professionals documented in all four countries.

In addition to the immediate and direct fallout on journalism stemming from the introduction of the emergency legislation and change in the form of official communications, the coronavirus pandemic has imposed **significant financial constraints on the media**. Print media has been particularly hard hit, for instance, as physical distancing and stay-at-home measures have precipitated a decline in sales of print newspaper copies. At the same time, however, as vividly demonstrated by the cases of Romania and Albania, the ability to work out an effective policy response based on the provision of financial support to the media in times of crisis through transparent allocation has not been realized. In Romania, granting aid to the media led to accusations of the exercise of undue political influence, while the reluctance of Albanian decision-makers to consider media as a sector eligible for special assistance as part of the measures for tackling the consequences of the coronavirus has further deepened the economic plight of the journalistic profession.

Against the background of domestic political infringements on key democratic rights, including the freedom of expression, **societal responses have been crucial in carving out and reasserting spaces for free civic debate**. The initially quiescent social condition in the early days and months of the pandemic went along expectations that in times of crisis people rally around strong leaders from whom they look for guidance and reassurance. The panic

¹⁵ International Press Institute (2020). "Briefing: Press Freedom Suffers in Council of Europe Member States under COVID-19", p. 4, 6.

and fear-inducing political statements about the severity of the coronavirus crisis further consolidated high approval ratings of national decision-makers. For instance, opinion polling conducted in Bulgaria in the first two months following the introduction of the state of emergency in March 2020 marked a significant increase in confidence in the government and the National Operational Headquarters that it had convened to deal with the coronavirus pandemic. 63% of the respondents thought that the Headquarters coped well with its responsibilities and the personal approval rating of General Ventsislav Mutafchiyski, who was in charge of the Headquarters, reached 66%, a remarkable result for a figure not previously widely known to the Bulgarian public.¹⁶ Moreover, Prime Minister Boyko Borisov's approval reached the highest scores ever recorded at the very beginning of his Premiership in 2009, standing at 40%.¹⁷

However, once the initial consolidation around the political elite had passed, the societal pendulum swung in the opposite direction, as both small-scale civic initiatives and large social movements have emerged. Although the immediate preconditions for protests have been linked to various grievances, primarily encompassing governments' handling of the socio-economic impact of the pandemic, the deeper roots of protests have been linked to significant popular dissatisfaction with the long-standing process of democratic backsliding, curtailment of civic rights, entrenched corruption and state capture. In Albania, protests against the demolition of the country's crumbling National Theater and in another case, against sexual violence, were also directed against the 'dictatorship' of the political regime.¹⁸ The Romanians' protests against the potential re-introduction of lockdown measures were mixed with discontent with the authoritarian and unaccountable tendencies characterizing the system of governance.¹⁹ The Serbian government's planned re-imposition of a coronavirus-related curfew triggered social agitation that was similarly based on disaffection with authoritarian political trends.²⁰ In Bulgaria, a large social movement has

¹⁶ Trend. „Нагласи на българите спрямо кризата с разпространението на COVID-19” (1 част) [The Bulgarians' Dispositions towards the COVID-19 Crisis (First Part)]. April 2020.

¹⁷ Alpha Research (2020). „Отражение на първия етап на кризата с коронавируса върху политическата картина в страната” [Impact of the First Stage of the Coronavirus Crisis on the Political Landscape in the Country].

¹⁸ Semini, L. “Albanian Protesters, Police Clash over Theater Demolition”. *ABC News*, May 17, 2020.
Erebara, G. “Albanian Women Protest in Street Against Sexual Violence”. *BalkanInsight*, June 4, 2020.

¹⁹ Băltărețu, R. “As Coronavirus Cases Hit Record High in Romania, Hundreds Gather to Protest Lockdown”. *Vice World News*, June 14, 2020.

²⁰ BBC “Coronavirus: Serbia Scraps Curfew Plan for Belgrade after Protests”. July 9, 2020.
Janjevic, D. “Serbian Protesters Lash out at Vucic's Botched Pandemic Response”. *Deutsche Welle*, July 9, 2020.

developed based on the assertion of a set of political-normative standpoints in favor of political transparency, accountability, a meritocratic selection of the governing elite and justice.²¹

In the media sphere, social unrest has contributed to a **push-back against politically-induced limitations on freedom of expression**. As instances from the case studies on Bulgaria, Romania, Serbia and Albania reveal, through well-organized advocacy, NGOs and media professionals have been able to reverse government-imposed violations of media freedom and reassert a public stance that warns against a complacent attitude to the introduction of restrictions on free speech during times of crisis.

Moreover, **protests have generally sharpened attention to some of the long-standing flaws of the information eco-system of Balkan countries**. Protesters' grievances against 'mainstream' media have directed attention to the prioritization of issues placed on daily media agendas, frequently dictated by self-censorship falling into line with government expectations.²² For instance, influential TV channels have downgraded the publicity given to protests. At the same time, biased experts invited to comment on social movements can sway the framing and interpretation of the protests, which has demonstrated the need to grant greater coverage of protesters' authentic viewpoints. On the flip side, however, lack of trust in the media and dissatisfaction with journalistic (self)censorship has led to violent attacks on journalists, which has been particularly visible during the Serbian protests.²³

Foreign authoritarian media interference

The negative repercussions of domestic governance deficits of the Balkan countries do not simply remain an internal affair but are also exploited and amplified by foreign authoritarian powers – such as Russia and China, that seek to expand their malign influence in the Southeast European region. Russia's objective, in particular, has been to derail the Balkan states' democratic development as well as prospective or already achieved membership in the

²¹ Bulgarian National Radio „Христо Иванов: Хората имат право на протест, няма опасност от гражданска война“ [Hristo Ivanov: The People Have a Right to Protest, There Is No Danger of Civil War]. July 11, 2020.

²² Lozanov, G. „Кошлуков и Рашидов отдавна трябваше да подадат оставки“ [Koshlukov and Rashidov Should Have Resigned Long Ago]. *Mediapool*, July 18, 2020.

²³ International Press Institute (2020). “Numerous Journalists Beaten and Attacked Covering Serbia Protests”.

EU and NATO. In addition to the application of geopolitical pressure and economic leverage, the Kremlin has prominently deployed propaganda and disinformation tactics as part of its toolbox for exercising influence. Russia has utilized a variety of instruments to advance such tactics, including direct ownership and/or informal financial (advertising, public procurement) and political ties to the editorial and management bodies of local media outlets, broadcasting of Russian channels, diffusion-proofing, building networks of friendly journalists and content-creators. Overall, a consistent pattern of the dissemination of Kremlin disinformation has entailed that the more closely politically and economically enmeshed a given national outlet is with (pro)Russian groups and interests, then the more straightforwardly and in a more explicitly biased way that Kremlin messages are spread.²⁴

During the coronavirus crisis, **Russia and China further accelerated their disinformation campaign**, whereby the promotion of coronavirus-related propaganda narratives and an offensive in the form of ‘mask diplomacy’²⁵ have served as the sharp power informational weapons of Moscow’s and Beijing’s global competition for influence vis-à-vis the West. As a report of the European External Action Service has shown, these two countries continued to target conspiracy theories and disinformation at audiences in the EU and the wider neighborhood with the aim to undermine the Union and its crisis response, and to sow confusion about the origins and health implications of COVID-19.²⁶ Our investigation also confirms this trend, whereby Russia and China have aggressively pushed their disinformation messages into the media space of the Balkan countries, which has exerted an at least two-fold negative impact on media freedom.

Russian and Chinese donations of medical aid have been instrumentalized as part of a wide publicity campaign, propped up by local pro-Russian/Chinese outlets, presenting Moscow and Beijing as true allies, which altruistically come to the rescue of countries in need – supposedly in juxtaposition to the EU’s lack of support and solidarity. Such a public stunt was most starkly evident in the context of Chinese medical supplies to Serbia. Serbian President Aleksandar Vučić called the Chinese ‘brothers’, contrasting them to European

²⁴ Filipova, R., and Galev, T. (2018). *Russian Influence in the Media Sectors of the Black Sea Countries. Tools, Narratives and Policy Options for Building Resilience*. Sofia: Center for the Study of Democracy.

²⁵ Euractiv “Capitals Special Edition – How Effective is China’s ‘Mask Diplomacy’ in Europe?”. March 26, 2020.

Crawford, A., Peter Martin, P., and Bloomberg. “‘Health Silk Road:’ China Showers Europe with Coronavirus Aid as Both Spar with Trump”. *Fortune*, March 19, 2020.

²⁶ European External Action Service (2020). “EEAS Special Report Update: Short Assessment of Narratives and Disinformation around the Covid-19/Coronavirus Pandemic” (Updated 2 – 22 April).

solidarity, which he termed a ‘fairy tale’.²⁷ Indeed, this is a reflection of the ever-growing cooperation established between Serbia and China, utilized by Belgrade both as a form of political counterbalance to engagement with the West and as a source of capital for infrastructural development. Among the Western Balkan countries, Serbia has received the most Chinese investment and loans, which have not been conditioned on strict rule of law procedures, as required by the EU, but have conversely tapped into opaque local state capture networks.²⁸

In a less overt manner, **Russia and China have disseminated their coronavirus-related disinformation narratives into the media landscapes of Bulgaria, Romania and Serbia**, while the absence of deeply entrenched Russian influence over media in Albania has made the latter much more impervious to Kremlin messaging. Russian disinformation has spread through the local language editions of its state-owned outlets, such as Sputnik, Russia Beyond, News Front, as well as through social media and national outlets, which may not be formally owned by Russia but nevertheless maintain political-economic ties to (pro)Russian groups and interests. A prominent set of disinformation messages has been linked to the proliferation of conflicting explanations of the origin of the virus: that it represents an American biological weapon;²⁹ that 5G technology has caused it; or that the global economic elite engineered it to conceal a global economic crisis that had already been under way.³⁰ Moreover, it has been especially strongly claimed that authoritarian regimes are better able to cope with the coronavirus crisis – or indeed with any other crisis, than liberal democracies allegedly because centralized systems can mobilize a quick response and harness industrial capacity for the production of medical equipment.³¹

²⁷ Simić, J. “Serbia Turns to China Due to ‘Lack of EU Solidarity’ on Coronavirus”. *Euractiv*, March 18, 2020.

²⁸ Ruge, M., and Oertel, J. (2020). “Serbia’s Coronavirus Diplomacy Unmasked”. *European Council on Foreign Relations*.

²⁹ News Front „Биолабораторията на САЩ в Грузия: Заплаха за коронавируса или за хората?“ [A US Biolab in Georgia: A Threat to the Coronavirus or to People?]. March 20, 2020.

³⁰ Palikrusheva, P. „„Удобният“ смъртоносен коронавирус: Оръжието на глобалния капитал срещу човечеството“ [The ‘convenient’ Lethal Coronavirus: The Weapon of Global Capital against Humanity]. *News Front*, March 18, 2020.

³¹ Palikrusheva, P. „СМИ: плановата икономика е причината Китай да пребори коронавируса“ [Media: The Planned Economy Is the Reason Why China Has Overcome the Coronavirus]. *News Front*, March 14, 2020.

Technology and social media

Online technological platforms have exponentially increased opportunities for the expression of opinion, reception of information and civil societal self-organization. However, simultaneously, the online space has exerted a severe impact on democratic discourse by reducing the quality, accuracy and civility of the deliberation process essential to any democracy through the quick, interactive, clickable and sensationalist dissemination of superficial, ‘fake’ information and propagandist slogans. Indeed, the latter trend has been reinforced by rampant but laxly regulated technological processes – such as the use of algorithms and the storing of large amounts of personal data. At the same time, global economic developments have worked in favor of global digital advertising dominated by Facebook and Google, which – having become corporate giants of unprecedented outreach, cannot be trusted to self-regulate their impact on public discourse when they have to defend their profit.

Over the course of the COVID-19 pandemic, **the practices of tech giants have come into a renewed and sharper focus.** The dilemma between citizens’ digital rights and security concerns has been reinvigorated as governments’ need for data to conduct coronavirus contact-tracing has made tech giants hand over huge stores of data on people’s movements.³² Moreover, the swiftness and effectiveness of Facebook’s content moderation policies have again been questioned. For instance, conspiracy theories linking 5G technology to the COVID-19 pandemic were circulating widely and contributing to the destruction of 5G masts in the UK before Facebook had to be finally urged to take stronger action.³³ Facebook and Google have nevertheless tried to redress the imbalance in their financial and advertising dominance that has squeezed out traditional and smaller media outlets by announcing multimillion-dollar aid packages for local and national media outlets and waiving fees for publishers using Google’s ad network. In the midst of the coronavirus crisis’ fallout on publishers, who have faced a decline in advertising revenue and subscriptions, Google has for example been required to work with newspapers over licensing fees when these outlets’ content is used.³⁴

These technological threats and opportunities have also been manifest in the Balkan countries. Social media has been a key instrument for the **circulation of coronavirus-related disinformation and conspiracy theories.** Moreover,

³² Lima, C., and Manancourt, V. “Privacy Agenda Threatened in West’s Virus Fight”. *Politico*, April 8, 2020.

³³ Kelion, L. “Coronavirus: Tech Firms Summoned over ‘crackpot’ 5G Conspiracies”. *BBC*, April 5, 2020.

³⁴ Scott, M. “Coronavirus Reignites Feud between Publishers and Platforms”. *Politico*, April 23, 2020.

censorship and surveillance of Facebook activity have been documented. For instance, in Bulgaria, police have been vested with the power to track the data from mobile phones and Internet traffic without court permission by obtaining them from the relevant service providers. The emergency legislation through which this initiative was promoted required a further change in the Law on electronic messages.³⁵ Also, as starkly revealed in the Albanian case, a media company contracted to safeguard the copyright of TV broadcasts on the Internet can abuse such copyright in order to take down and restrict on social media any content that criticizes the government.³⁶

Yet, **social media has provided a platform for civic debate** – as demonstrated by the vibrant discussions that the Serbian opposition was conducting on Facebook and Twitter. Additionally, taking effective action against the spread of disinformation – as in Twitter dismantling troll accounts disseminating coronavirus-related propaganda in Serbia, can be useful for **exposing the tactics, channels and messages of propagandists**.

Janus-faced Balkan specificities in a globalized context

The coronavirus pandemic has deepened the pre-existing domestic, international and technological trends underwriting the deteriorating condition of media freedom across the Balkans, while providing some opportunities for the invigoration of press independence. But country-based **differentiations** have also been observed. They most significantly stem from the distinct stages of Euro-Atlantic integration occupied by Bulgaria, Romania, Serbia and Albania. As members of the EU for 13 years now, Bulgaria and Romania exist within a European framework of rules and obligations that plays a constraining role on the extent to which democratic backsliding and encroachments on media freedom can proceed without an external disciplining reaction. In the face of a wave of rights-restricting emergency legislation, the European Commission issued warnings that such legislation should not limit fundamental liberties and independent media, setting out to monitor the application of emergency measures.³⁷ Bulgaria and Romania subsequently joined in a statement of 19 EU member states pledging to support the Commission in its initiative to monitor emergency legislation, which should be proportionate and temporary in

³⁵ Nikolov, K. „Полицията получи безконтролен достъп до телефони и Интернет връзки“ [The Police Gained Uncontrolled Access to Phones and Internet Connections]. *Mediapool*, March 24, 2020.

³⁶ Laufer, D. (2020). “A German Company is Responsible for the Deletion of Videos Critical of the Albanian Government”. *Netzpolitik.Org*.

³⁷ Bayer, L. “Von Der Leyen Warns on Emergency Coronavirus Measures after Orb n Move”. *Politico*, March 31, 2020.

nature.³⁸ Moreover, Bulgaria and Romania participate in and are subject to the European Commission's newly enunciated provisions for fighting disinformation, as spread during the coronavirus pandemic, which includes an aid package to be distributed for crisis-hit media.³⁹

In contrast, the lack of fully-fledged EU membership status on the part of Serbia and Albania has meant that they remain outside of an institutional framework that can curb undemocratic excesses. Examples of the latter encompass Serbian politicians' public praise of China and disregard for the EU as well as Albanian Prime Minister's blatant violation of citizens' privacy by sending a pre-recorded message that all Albanians were obliged to hear before being able to make an outgoing call.

On a more general level, the similarities and differences among the four Southeast European countries make up their **specific responses to the coronavirus crisis but do not amount to an exception to a global rule**. Indeed, the COVID-19 pandemic has revealed a number of common trends that can be identified on a global level. The health-related and economic measures initially introduced for dealing with the crisis have been remarkably similar, although there were nuances in their pace and scope. The lifting of lock-down restrictions,⁴⁰ followed by an intensification of the rate of infection,⁴¹ have also progressed along a similar timeline. Over the course of these attempts to deal with the pandemic, attacks on press freedom have been recorded throughout the world.⁴² Conspiracy theories have circulated and captured the public mind from the UK⁴³ to Peru.⁴⁴ Just as expert opinion seemed to be making a comeback in the media and the role of science appreciated ever more as providing a way out of the public health crisis, vehement disagreements among experts, the retraction of scientific studies and political argumentation gaining an upper hand over specialist knowledge undermined the increasing

³⁸ "Statement by Belgium, Bulgaria, Cyprus, Denmark, Estonia, Finland, France, Germany, Greece, Ireland, Italy, Latvia, Lithuania, Luxembourg, the Netherlands, Portugal, Romania, Spain, Sweden", 2020.

³⁹ European Commission (2020). "Coronavirus: EU Strengthens Action to Tackle Disinformation".

⁴⁰ Hirsch, C. "Europe's Post-Lockdown Rules Compared". *Politico*, June 22, 2020.

⁴¹ Jones, S., and Anderson, Ch. "Global Report: South Korea Has Covid-19 Second Wave as Israel Ponders New Lockdown". *Guardian*, June 22, 2020.

⁴² Reporters without Borders (2020). "2020 World Press Freedom Index: 'Entering a Decisive Decade for Journalism, Exacerbated by Coronavirus'".

International Press Institute (2020). "COVID-19: Number of Media Freedom Violations by Region".

⁴³ Waterson, J., and Hern, A. "At Least 20 UK Phone Masts Vandalised over False 5G Coronavirus Claims". *Guardian*, April 6, 2020.

⁴⁴ BBC "Coronavirus: Technicians Held in Peru over False 5G Covid Links". June 12, 2020.

confidence in expertise.⁴⁵ Ultimately, protests spurred by dissatisfaction with governments' coronavirus-related measures transformed into calls for redeeming democracy in the face of corruption and abuse of power.⁴⁶ The coronavirus crisis thus catalyzed the expression of a global disenchantment with how politics works.⁴⁷

The challenges to democracy and media freedom that the COVID-19 pandemic has introduced both nationally, regionally and globally – on top of already existing processes of the erosion of press independence, therefore requires devising measures that are specifically geared to preparing for and tackling the negative repercussions of unexpected crises.

What is to be done?

- **Ensure transparency of ownership** to shine a light on the oligarchic nature of media ownership across the SEE region. The registration of media owners in a publicly available registry should become obligatory in countries, where it is still only voluntary. In countries, where media ownership registration is mandatory, there should be a stricter compliance, enforcement and monitoring of the origin and concentration of the assets of media owners.
- State authorities, in particular the public prosecutor's office, should **address in a regular and timely manner all cases of intimidation of journalists**, including harassment taking place on social networks.
- **The EU should devise and make binding a common standard for access to information.** The Union should also facilitate press freedom in member states by monitoring compliance with the rule of law and the transparent allocation of European structural funds for communications as well as the funds set aside for tackling the economic fallout from the coronavirus pandemic.
- **Enunciate and codify clear rules on the conduct of emergency press conferences**, including the ethical standards of government communications, such as providing the widest possible and unhindered journalistic access.

⁴⁵ Manancourt, V., and Furlong, A. "Top European Hospitals Deny Providing Data for Retracted COVID-19 Research". *Politico*, July 1, 2020.

⁴⁶ Liebermann, O., Veselinovic, M., and Reynolds, E. "Huge Protests Rock Several Countries as Coronavirus Ignites Rage against Governments". *CNN*, July 15, 2020.

⁴⁷ Wike, R., Silver, L., and Castillo, A. (2019). *Many Across the Globe Are Dissatisfied With How Democracy Is Working*. Pew Research Center.

- **Transparency of the decision-making process should be ensured, especially during digitally-driven meetings**, if they continue to take place after the lifting of physical distancing measures. The rules relating to the openness of the parliamentary proceedings or local level decision-making processes should be maintained, and extra information should be provided in terms of the decisions taken during these times (including documents, votes, etc.).
- **Reasonable limitations with regard to access to information should be the norm**, and the state should not impose overly restrictive conditions; the maximum term for delays in providing responses to freedom of information requests should not become the rule, but rather the exception that can be legitimately justified.
- **Data publicity and access to information on COVID-related issues (including procurement of funds)** should be exempted from limitations and/or published pro-actively. Such a policy should offer the media the tools to adequately inform the public, forestall disinformation, and avoid distrust in the emergency actions implemented by the authorities.
- Given the proliferation of conspiracy theories and disinformation on social media during times of crisis, **exercise greater caution of the timeliness of Facebook’s content moderation** by employing technological tools for real-time monitoring of social media engagement. Combine such independent, civil-societal monitoring activity with EU initiatives (including the most recent Joint Communication on tackling disinformation)⁴⁸ requesting monthly reports on tech giants’ policies and actions to address disinformation.
- **Develop a set of counter-narratives to foreign authoritarian disinformation**, which at critical junctures sow uncertainty about the strength of European solidarity and the ability of liberal democracy to cope with crises.
- **Journalists should resist attempted restrictions on free speech in times of crisis** on the basis of arguments that a unanimity of opinion is required for the preservation of public safety. The right to the expression of diverse viewpoints should be defended by a continuous conveyance of conflicting perspectives.
- **Establish independent ‘legislative watchdogs’** – in times of crisis, civil society activists and organizations should monitor the possibility of both pro-active meddling with media freedom (for instance, through the introduction of

⁴⁸ European Commission. *Coronavirus: EU Strengthens Action to Tackle Disinformation*.

restrictive laws on the media as part of emergency legislation) and passive obstruction of the press (through refusal to institute special economic measures to prop up struggling media outlets).

BULGARIA

The International Press Institute has warned that, in a short space of time, European states have introduced emergency laws that contain disproportionate measures, in particular excessive regulation against disinformation.⁴⁹ These trends have also been observed in Bulgaria.

The pandemic has deepened the **deficits of freedom of speech in Bulgaria** (the country being ranked in the 111th position in the Reporters Without Borders index,⁵⁰ the last position of a European Union member state for yet another, third, consecutive year) and has demonstrated that the independence of the press depends on the absence of monopoly and the transparency of media ownership as well as on a general understanding of the need for professional, quality media.

The state of emergency was declared on March 13, 2020, initially for one month, then prolonged for another month before being re-named into an 'emergency epidemic situation', with the latter loosening some of the measures after May 13, 2020. As of the announcement of the state of emergency, **the authorities started to use and misuse the communication channels for emergency press-conferences** given live by the National Operational Headquarters. The head of the Headquarters is the director of the Military Medical Academy, General Ventsislav Mutafchiyski, whose appearance in a military uniform intensified the perception of the imposition of an extraordinary situation, where military order took precedence over 'normal' civil rules and procedures. Yet, his expertise and background as a doctor and professor appealed to the wider public and somewhat softened the impression of his military uniform. The media – radio stations, televisions, private or public – transmitted the emergency press conferences live, which could take place at any time during the day. However, the misuse of unexpected live broadcasting interrupting the regular television programs had started already before the emergency situation with the pandemic. Overall, the Bulgarian government's communication patterns during COVID-19 have ranged from continuous intense briefings, sometimes up to 3-4 per day or in the middle of the night, to the exact opposite based on attempts to ban press conferences completely and to introduce single-channel written information, redirecting reporters' questions to the numerous press centers of different state administration and regulatory bodies.

⁴⁹ International Press Institute. "[Media freedom violations in the EU under COVID-19](#)". April 20, 2020.

⁵⁰ Reporters Without Borders (2020). "[World Press Freedom Index](#)".

Media freedom has been further negatively impacted through a number of legislative initiatives. Just before the announcement of the state of emergency, the Bulgarian government tried to change the procedure for public bodies to respond to **Freedom of Information (FOI) requests and their cost**. The bill proposed to abolish the power of the Minister of Finance to determine the costs associated with the release of information (for prints, CDs, etc.), instead leaving it up to applicants to pay for the public information provided. Hence, a significant degree of financial discretion was brought in, whereby each institution – ministry, agency, municipality, mayor’s office, would determine the amount of material costs itself.⁵¹

Parliament also tried to impose stringent **measures to criminalize ‘fake news’** concerning COVID-19 as part of the State of Emergency Act. As the International Press Institute warned,⁵² through the initial draft of the Act that was proposed in Parliament, the government used the state of emergency to attempt to amend the penal code and introduce prison sentences for spreading what it deemed ‘fake news’ about the outbreak with up to three years in prison or a fine of up to €5,000. That part of the Act was vetoed by the President, and the biggest political party, GERB, acquiesced in this, particularly with regard to the heavy fines that were envisaged to be enforced for disseminating fake news.

The instrumentalization of the fight against fake news for deriving political benefit was however continued in other ways. Just a week after the announcement of the state of emergency, on March 19, 2020, Bulgarian National Movement (VMRO)⁵³ submitted a draft law against fake news.⁵⁴ VMRO in fact declared their goal to change the Act for Electronic Broadcasting (Radio and Television Act) and to expand the functions of the Council for Electronic Media, including within its competences the compilation of a list of online media and websites that spread fake news, monitoring of the dissemination of fake news, and the power to shut down media outlets following a court decision. If the bill had been passed, the authorities would have been handed greater powers to suspend websites for disseminating Internet disinformation – thus widening the scope of the law far beyond the immediate health crisis. A number of high-

⁵¹ Клуб З. „Десетки организации се обявиха срещу промени в Закона за достъп до обществена информация“ [Dozens of Organizations Came up against the Amendments to the Law on Access to Public Information]. April 22, 2020.

⁵² International Press Institute. “Media freedom violations in the EU under COVID-19”. April 20, 2020.

⁵³ VMRO is one of the parties constituting the nationalist United Patriots formation, which is the coalition partner of the current GERB-led government (2017-).

⁵⁴ Законопроект за изменение и допълнение на Закона за радиото и телевизията [Legislative Proposal for Changes and Addendum to the Radio and Television Act]. March 19, 2020.

profile domestic and international organizations reacted to the bill. According to the Association of European Journalists (AEJ)-Bulgaria ‘the new bill could open the door to censorship on all websites in Bulgaria’,⁵⁵ a position which was supported by the Organization for Security and Co-operation in Europe (OSCE).⁵⁶ As a result, VMRO’s draft bill was not supported by the Parliamentary Commission, but the party made a second attempt at restricting free speech, this time setting its sights on the Commission for Personal Data Protection.

Moreover, attempts to limit the freedom of expression have intensified with or without the introduction of new provisions in legislation by simply instigating **unwarranted investigations under the terms of the Penalty Code**. A number of examples stand out. In April 2020, Professor Asena Stoimenova, President of the Bulgarian Pharmaceutical Union, was accused of ‘causing panic’ among the public, following her interviews for the Bulgarian National Radio and the Bulgarian National Television,⁵⁷ in which she warned that the ever-growing practice of hoarding medicine could lead to a shortage of medication for those most in need. The prosecutors set a bail amounting to 20,000 BGN (approx. 10,000 EUR), a measure which a Bulgarian court later repealed as disproportionately high. AEJ reacted firmly to Asena Stoimenova’s case,⁵⁸ pointing out⁵⁹ that Article 326 of the Bulgarian Criminal Code does not apply to the kind of statements made by Stoimenova, which, in the very least, makes the charges unfounded from a legal point of view. After reactions from the EU Pharmaceutical Group, the Sofia City Court revoked the bail and decided to leave Stoimenova without a measure of restraint.⁶⁰ Similar was the case with two Bulgarian doctors in the city of Plovdiv who publicly complained about the lack of protective equipment and safety conditions in their hospital amid the coronavirus pandemic. A week later, using the same legal provision, the two doctors were summoned for questioning.⁶¹ In this way, the prosecution went

⁵⁵ AEJ Bulgaria. “A new bill could open the door to censorship on all websites in Bulgaria”. March 26, 2020.

⁵⁶ OSCE. “COVID-19 response in Bulgaria should not curb media freedom, says OSCE Representative on Freedom of the Media”. April 15, 2020.

⁵⁷ Bulgarian National Radio. „Председателят на фармацевтичния съюз Асена Стоименова с обвинение заради интервюта по БНР и БНТ” [The Chairman of the Pharmaceutical Union Asena Stoimenova Prosecuted For Interviews on BNR and BNT]. April 10, 2020.

⁵⁸ AEJ Bulgaria. “Statement on the Charges Against the Chairwoman of the Bulgarian Pharmaceutical Union”. April 15, 2020.

⁵⁹ AEJ Bulgaria. “Criticizing Anti-Pandemic Measures and Policies Cannot Be a Ground for Prosecution”. April 14, 2020.

⁶⁰ Bulgarian National Radio. „Проф. Асена Стоименова е свободна и без гаранция” [Prof. Asena Stoimenova is Free and Without Bail]. April 22, 2020.

⁶¹ Mitov. B. „Искаме само да помагаме на болните” [We Just Want to Help the Sick]. Svobodna Evropa. March 20, 2020.

after critical voices raising awareness and whistleblowing information related to the pandemic.

On May 14, the Bulgarian government paved the way out of the state of emergency. The existing Health Act was amended, allowing for the addition of a so-called 'emergency epidemic situation'. During this new situation, the Minister of Health would be able to implement most of the public health measures from the former state of emergency. However, challenges to the freedom of speech remain acute nonetheless. The main concerns of journalists are linked to the attempts to misuse Article 326 of the Penalty Code even without a state of emergency.⁶² The core function of this provision is to penalize the authors of fake bomb alerts and people who abuse police, fire brigade, and ambulance workers by calling 112 without needing their assistance. The state of emergency declared in the context of the COVID-19 pandemic has offered an opportunity for a broader application of Article 326. Even after the veto by the President, the rejection of this provision and the withdrawal of the State of Emergency Act, concerns linger that plans to amend this part of the Criminal Code will continue. The article could be misused even in its current state as it can lead to repression of any Bulgarian citizen who, in private or public statements, criticizes a state institution.

In addition to the politically-induced erosion of media freedom during the coronavirus pandemic, societal susceptibility to fake stories and disinformation has also worsened the information ecosystem. Conspiracy theories have found many followers, as recent polls show. 'There is an underlying conviction amongst Bulgarian citizens that the pandemic caused by COVID-19 is not that dangerous', according to the sociological agency Gallup-International Association,⁶³ which conducted a public opinion survey in 19 countries on people's attitudes towards the development of the COVID-19 pandemic. According to the survey, Bulgarians do not trust the main sources of information and are looking for alternatives. Trend⁶⁴ has further reported that 43% of the Bulgarian respondents believe the coronavirus is artificially created so that pharmaceutical companies can profit; 40% believe that the virus is a biological weapon created to reduce the population on Earth; 22% think that the vaccine will implant a chip to control humans; 21% consider that Bill Gates is orchestrating the coronavirus pandemic; and 12% are convinced that the virus is spread via 5G technology.

⁶² AEJ Bulgaria. "Criticizing Anti-Pandemic Measures and Policies Cannot Be a Ground for Prosecution". April 14, 2020.

⁶³ Bulgarian National Radio. "Bulgarians do not trust the main sources of information: Gallup International". June 30, 2020.

⁶⁴ TREND. „Нагласи на българите спрямо коронавируса и конспиративни теории (юни 2020)“ [Attitudes of the Bulgarians towards the Coronavirus and Conspiracy Theories (June 2020)].

UNICEF-Bulgaria's research on teenagers' attitude toward the COVID-19 pandemic⁶⁵ moreover shows troubling results concerning beliefs in conspiracy theories among youngsters. Two thirds of the surveyed teenagers think that the coronavirus is a biological weapon.⁶⁶ These beliefs also seem to have an impact on concrete developments. Protests against vaccines and 5G emerged on social platforms. A protest in front of the Parliament was organized by a small political party from the ultra-nationalistic spectrum – Vazrazhdane – spreading pro-Kremlin messages.⁶⁷

Other types of false news patterns could be found in articles pretending to be translations from foreign press, alleging that the tests for COVID-19 are contagious themselves,⁶⁸ in articles based on hearsay, claiming that young and healthy people have been detained and forcefully closed in hospitals⁶⁹ or articles quoting 'witnesses' who saw that Hong Kong is destroying 5G.⁷⁰ Some articles even try to downplay or openly deny the dangers of COVID-19. In a recent example, the relatives of a medical doctor who died of COVID-19 were falsely cited saying that he actually died from cancer.⁷¹ This fake news was officially denounced by the medical authorities and the National Association of Emergency Medical Workers.⁷² Disinformation is also domestically spread as a result of long-standing 'media wars' waged by tabloids on the critical voices of independent journalists and civil society.⁷³

⁶⁵ UNICEF. „Обобщени резултати от изследването на субективната оценка и реакциите на тий-нейджърите в ситуацията на извънредно положение, свързано с COVID-19” [Summary Results from the Research on the Subjective Assessment and Reactions of Teenagers in the Emergency Situation Related to COVID-19]. June 12, 2020.

⁶⁶ Bakracheva, M., and Spasov, I. “The COVID-19 Lockdown through the eyes of teenagers”. UNICEF, June 15, 2020.

⁶⁷ Bulgarian National Radio. “Bulgarian Ultrationalists Protest Government's Coronavirus Measures”. May 14, 2020.

⁶⁸ The Bulgarian Times. „ВНИМАНИЕ: The Telegraph ‘тестовете за COVID-19 са заразени!’” [Attention: The Telegraph, ‘COVID-19 Tests are Contaminated’]. May 2, 2020.

⁶⁹ BGNews. „Затварят млади и здрави хора заради COVID-19” [Young and Healthy People are Quarantined due to COVID-19]. June 30, 2020.

⁷⁰ BGNews. „Странно: В Хонг Конг режат стълбовете на 5G антените” [Strange: People in Hong Kong Cut 5G Antenna Columns]. March 26, 2020.

⁷¹ Истинските Новини. „Семейството на починалия лекар: Той почина от Рак!” [The Family of the Deceased Doctor: He Died of Cancer!]. July 4, 2020.

⁷² Варна Новини. „Асоциацията на спешните медици изрази възмущение от фалшивите новини за починалия от COVID-19 лекар” [The National Association of Emergency Medical Workers Expressed Outrage at the Fake News about the Doctor who Died of COVID-19]. July 4, 2020.

⁷³ List with some examples and articles against independent and critical journalistic voices: Monitor. „Мейнстриймът на Прокопиев с пари за евроатлантически ценности, а лее руска пропаганда” [The Mainstream Media of Prokopiev Get Money for Euro-Atlantic values, but Spread Russian Propaganda]. February 6, 2020.

Overall, the long-standing limitations on media freedom in Bulgaria were further amplified during the coronavirus crisis through the misuse of communication channels to serve government purposes, attempted legal changes aimed at combatting disinformation but in reality enlarging the authorities' discretionary power over the media, the proliferation of conspiracy theories. To cope with these more recent as well as already existing challenges to press independence in Bulgaria, a rounded approach is needed, necessitating transparency of media ownership, raising the ethical and professional standards of journalists, increasing public awareness and a more active involvement on the part of the EU in upholding the rule of law and the allocation of structural funds, particularly within the sphere of communication, in member states.

Monitor. „Във времена на криза се вижда кой е Човек и кой – микроб“ [In Times of Crisis, One Can Discern Who is a Human and Who is a Microbe]. March 16, 2020.

Monitor. „Олигарсите тормозят лекари, за да атакуват дарителите и Делян Пеевски“ [Oligarchs Harass Doctors in order to Attack the Donors and Delyan Peevski]. April 23, 2020.

Monitor. „Асоциацията на прокопиевите журналисти отсече: Лекарите трябва да се тормозят“ [The Association of Prokopiev's Journalists Stated it Clearly: Doctors Should be Harassed]. April 27, 2020.

Monitor. „Журналистика за частна употреба“ [Journalism for Private Use]. April 27, 2020.

Monitor. „В атаките срещу Делян Пеевски: Прокопиев и топките му назаем“ [In the Attacks against Delyan Peevski: Prokopiev and His Rented Balls]. May 1, 2020.

Pik.bg. „РАЗКРИТИЕ НА ПИК: Ето я репортерката, която нарече Борисов 'шибаняк' – Елеонора Тахова се фука с протестърска награда“ [EXPOSED BY PIK: Here is the Reporter who Called Borisov a 'Bastard' – Eleonora Tahova Boast a Protesters' Award]. April 16, 2020.

Blitz.bg. „Пеевски клеветен с фалшиви новини от говорители на олигархията“ [Peevski Slandered with Fake News from Spokespeople of the Oligarchy], January 6, 2018.

Blitz.bg. „Защо в чуждестранни медии зачестиха 'фалшивите новини' за България?“ [Why 'Fake News' about Bulgaria Became More Frequent in Foreign Media?]. February 17, 2019.

ROMANIA

According to the 2020 report from the Center for Independent Journalism, a well-established non-governmental organization observing the state of the media in Romania for over 25 years, ‘with very few exceptions, the Romanian media seem caught in a time tunnel, between two fundamental problems that feed themselves in a vicious cycle: the lack of funding and the loss of credibility’. If in the 2015 report journalists were saying that ‘It can’t get any worse’, the follow-up assessments over the 2016 – 2019 period proved it can.⁷⁴

In 2020, the COVID-19 pandemic served to demonstrate that the situation could get equally worse in new and unexpected ways by intensifying already existing negative trends. Long-standing problems related to a lack of transparency, accountability, and rampant corruption exacerbated even further the Romanian media situation, characterized by low reporting standards, declining journalistic expertise, financial constraints, and public distrust.⁷⁵

The Social Democratic Party-led government (2017 – 2019) promoted an illiberal, anti-European Union agenda and posed acute challenges to the freedom of speech and the rule of law. Yet, despite the fall of the government, Reporters Without Borders still note that ‘respect for press freedom has not improved’.⁷⁶ Freedom House has classified Romania as a still semi-consolidated democracy.⁷⁷ Institutions and decision-makers bend the rules for access to information, having recently started weaponizing⁷⁸ the EU’s General Data Protection Regulation (GDPR) as grounds for denying access to information or threatening and prosecuting journalists in connection with their investigative reporting. Media funding mechanisms are non-transparent and sometimes even corrupt, and editorial policies are subordinated to the interests of the owners, which tends

⁷⁴ Lupu, Cr. (2020). [The State of Romanian Mass-Media](#). Bucharest: The Center for Independent Journalism.

⁷⁵ Ibid.

⁷⁶ Reporters without Borders. [2020 World Press Freedom Index – Romania](#).

⁷⁷ Freedom House. [Nations in Transit 2020 – Romania](#).

⁷⁸ The most outstanding case is related to an investigation by RISE Project into the businesses of the then head of the Social Democratic Party in Romania. The Romanian Data Protection Authority used GDPR to demand reporters to turn the information over in 10 days or face fines. This led to a quick reaction from professional organizations as well as from the European Commission. For additional context, please see [OCCRP Strongly Objects to Romania’s Misuse of GDPR to Muzzle Media](#). For independent reactions, please see [In Romania, EU data protection law used to try to muzzle Rise Project](#).

to transform the media into a tool for political propaganda. Indeed, there are numerous cases⁷⁹ of media owners being investigated for corruption, and some of them have already been indicted.

It is in this context of assaults on already declining media freedoms in Romania that the coronavirus crisis has reinforced a further shrinking of the space for independent and quality journalism.

The introduction of emergency legislation to deal with the pandemic exerted a particularly negative impact on the independence of the press. Romania had a state of emergency in place for 60 days,⁸⁰ which after May 15 was downgraded to a 'state of alert' (a lighter version of the state of emergency in which the restrictions on rights and freedoms are harder to impose).

The two presidential decrees through which the state of emergency was instated⁸¹ entailed several limitations on the operation of the media. Apart from obliging media to contribute to official communication campaigns with regard to COVID-19, one of the main issues with Decree 195/2020 (first of these two presidential decrees) is that it imposed **new measures which allowed authorities to close websites that propagated false information** relating to the evolution of the coronavirus and the preventive measures taken against it. The legislation lacked clarity. The Group for Strategic Communication, which had no previous experience (nor procedures) of assessing what 'fake news' or 'false information' represent, were vested with the authority to decide what platforms propagated false information, while enforcement (i.e., the actual closing of sites) was entrusted to the National Authority for Management and Regulation in Communication. The measure was criticized by media organizations as well as by various NGOs for its vagueness but also for its potential for abuses, since it applied to websites only.⁸² Yet TV channels, for instance, which propagate disinformation in a systemic fashion, were not punished in a similar way. It has been speculated that the authorities did not want to enforce the new legislative rule with respect to TV for fear of

⁷⁹ An overview of several examples is available in English here: Bucureasa, C. "Romanian Prosecutors Train Sights on Media Moguls". *Balkan Insight*, April 29, 2016.

⁸⁰ Funky Citizens (2020). [Legal brief on the state of emergency in Romania](#).

⁸¹ "DECRET nr. 195 din 16 martie 2020 privind instituirea stării de urgență pe teritoriul României" [Decree no. 195/2020 On Instating State of Emergency in Romania], published in the Official Gazette no. 212 from 16 March 2020 and "DECRET nr. 240 din 14 aprilie 2020 privind prelungirea stării de urgență pe teritoriul României" [Decree no. 240/2020 On Prolonging the State of Emergency in Romania], published in the Official Gazette no. 311 from 14 April 2020.

⁸² Barberá, M. G. "Romania's State of Emergency Raises Media Freedom Concerns". *Balkan Insight*, March 31, 2020.

retaliation and criticism in front of the significant audience that some TV channels attract.

The decree additionally affected two other major areas of the operation of the media. Although the right to information was not suspended officially, the decree stated that during the state of emergency, **the legal deadlines established for resolving freedom of information requests and petitions were doubled**. Thus, access to essential data was severely affected (the normal deadline for a freedom of information request is 10 days or 30 days in the case of more complex information).

The emergency legislation also affected the public procurement framework. The presidential decree made direct procurement easier to employ for authorities and **introduced the possibility to do non-competitive, direct procurement for goods and services related to COVID-19**. Direct contracting also meant less information was made public (at least immediately) with regards to the tremendous amounts of spending during such a critical time. The provisions that allowed direct procurement were extended to a large set of ‘contracting authorities’ through the second decree,⁸³ making even more information related to public spending largely unavailable for the media and the general public.

Moreover, some emergency ordinances that were passed by the government since the start of the pandemic further affected areas essential for the transparency of the decision-making process and for the access of the media to information related to the authorities’ actions on either central or local level. In particular, Emergency Ordinance 34/2020⁸⁴ **suspended the law on transparency in the decision-making process**, which had provided that it was mandatory for the authorities to publish draft laws and have them in public debate.

Public officials replaced in-person meetings with online events and also established **closed online groups for discussions with journalists**, which led to unequal access to information. For instance, the Parliament’s plenary

⁸³ The first decree provided that ‘Central public authorities, as well as legal entities in which the state is the majority shareholder, can directly purchase materials and equipment necessary to combat this epidemic’. The second one expanded the possibility to do direct procurement by providing that this can be done by ‘Contracting authorities, including legal entities in which the state is the majority shareholder’.

⁸⁴ “ORDONANȚĂ DE URGENȚĂ nr. 34 din 26 martie 2020 pentru modificarea și completarea Ordonanței de urgență a Guvernului nr. 1/1999 privind regimul stării de asediu și regimul stării de urgență” [Emergency Ordinance no. 34/2020 For the Amendment and Completion of the Government Emergency Ordinance no. 1/1999 On the State of Siege and the State of Emergency], published in the Official Gazette no. 268 from 31 March 2020.

sessions began to be streamed online, but the work of committees became secret in practice as they started to take place on WhatsApp or other platforms with a closed circuit such as Webex and Zoom. Yet, participation in the online groups was selectively determined by the politicians and most of the journalists in the local media had even less access than before to the decision-making process.

Importantly, the Ombudsman took the emergency ordinances that followed from the Presidential decrees to the Constitutional Court. On May 6,⁸⁵ the Court decided that the ordinances were unconstitutional, because the Parliament should have decided on the details entailed by establishing the state of emergency. Similarly, it was ruled that legislative approval should have been sought through Parliament for any measures curbing fundamental rights and freedoms via the state of alert.⁸⁶

In addition to the politically-induced restrictions on the free operation of the media, there has also been **economic and financial fallout for journalists** as a result of the coronavirus crisis. Advertising budgets have declined, while corporate social responsibility (CSR) budgets of companies have been redirected towards sustaining the healthcare sector and organizations and campaigns dealing with the effects of the health crisis⁸⁷ (by, for instance, funding the purchase of testing equipment). This gloomy financial picture added to the pre-existing trends of cash-strapped Romanian media, whereby the withdrawal of foreign investors following the financial crisis of 2008 left the media dependent on politically-connected oligarchs.⁸⁸

The most important development with regard to the financial situation of the media during the coronavirus pandemic is also likely the one that will make the landscape even more vulnerable to political pressure. The government decided to allocate around 200 million RON (40 million EUR) to media outlets (audio, video, print, online) through Emergency Ordinance 63/2020.⁸⁹

⁸⁵ Constitutional Court of Romania, [Press release](#), May 6, 2020.

⁸⁶ Constitutional Court of Romania, [Press release](#), May 13, 2020.

⁸⁷ Forbes. "Lista companiilor și persoanelor publice din România care au donat pentru lupta împotriva COVID-19. Lista oamenilor buni" [The List of Companies and Public Persons in Romania that Donated for the Fight Against COVID-19. The List of Good People]. May 12, 2020.

⁸⁸ Active Watch (2010). [Libertatea Presei in Romania 2009](#) [Freedom of Expression in Romania].

⁸⁹ "ORDONANȚĂ DE URGENȚĂ nr. 63 din 7 mai 2020 pentru organizarea și desfășurarea unor campanii de informare publică în contextul situației epidemiologice determinate de răspândirea COVID-19" [Emergency ordinance 63/2020 for organizing and conducting public information campaigns in the context of the epidemiological situation caused by the spread of COVID-19], published in the Official Gazette no. 373 from 8 May 2020.

Funds for each outlet are established based on the audience or visitors they have, as audited by independent bodies. The scheme essentially offers money for clicks/views. This measure has raised concerns about the establishment of undue political influence on media outlets (some even labeled it a bribe).⁹⁰ According to government sources,⁹¹ over 700 outlets have already requested funding. Yet, the most likely scenario⁹² is that the money will end up in already established television stations or media groups (that were arguably not as vulnerable to the lack of revenue as, for example, the local media). Because all emergency ordinances need to be approved at some point in Parliament, it will be instructive to see what will happen⁹³ with this piece of regulation.

There is also evidence that local authorities are profiting from the more relaxed procurement procedures and award publicity contracts to local media outlets. Funky Citizens' anonymized discussions with local media outlets reveal that advertising contracts from the private sector are almost non-existent during these months, and that being able to land contracts offered by the local authorities can sometimes make the difference between staying afloat or going bankrupt.⁹⁴ If one looks at the public procurement database,⁹⁵ we can see that the spending for publicity has increased by almost a third in April and May – in comparison with the level of spending during these months last year (a proper assessment will take a few months, because, due to the state of emergency regulations, not all contracting authorities published all procurement on the platform).

⁹⁰ The debate between journalists was very acute, some of them labeling it directly a 'bribe': Constantin Șolga. C. "Ludovic Orban a dat șpagă presei libere 200 milioane lei, iar jurnaliștii de bună-credință devin, în următoarele patru luni, agenții electorali ai PNL" [Ludovic Orban Bribed Free Media with 200 Million Lei, and the Good Faith Journalists Become in the Next Four Months the Electoral Promoters of the NLP]. May 5, 2020.

⁹¹ Tabel centralizator cu sumele estimative, calculate pe baza cererilor de participare depuse conform oug 63/2020. [Centralized Table with the Estimated Amounts Calculated on the Basis of the Participation Requests which were Sent on the Basis of Emergency Ordinance 63/2020]. June 15, 2020.

⁹² Calculations done by Pagina de media, a platform dedicated to the media market in Romania: "BANI PENTRU PRESĂ. Grupul Intact, cei mai mulți bani de la Guvern: peste 3,2 milioane de euro. Grupul ProSport, Cancan și Gândul, primul la online. Lista parțială a contractelor. Cine și cât ia?" [Money for the Press. The Intact Group, the Largest Amount of Money from the Government: Over 3,2 Million Euro. The ProSport, Cancan and Gandul, the First for the Online. The Partial List of Contracts. Who Gets What?]. June 16, 2020.

⁹³ At the time of writing, no further unfoldment has taken place yet.

⁹⁴ Centrul pentru Jurnalism Independent. "Fondul de publicitate pentru mass-media naște suspiciuni" [The Publicity Fund for Mass Media Generates Suspensions]. April 28, 2020.

⁹⁵ Data for the key word "publicity".

The declining revenues have further translated in poorer reporting. Most of the data about the pandemic come from official sources and are rarely subject to critical examination, which is exacerbated by the delays in responding to freedom of information requests. Accidental or intentional disinformation has often been present, sometimes starting even from well-established media organizations or news agencies.

Nevertheless, certain positive developments in the Romanian media environment have been observed. Most of the media outlets from the new wave of digitally born media startups (such as RISE Project Romania/OCCRP, Recorder, G4Media) refused to access state-allocated funds in order to preserve their independence. Some of these organizations also managed to identify other sources of revenue (e.g. emergency funds released by foundations). A lot of them have further maintained a significant level of financial support from the public, mainly through small donations.⁹⁶ Moreover, the demand for alternative, credible sources of information increased due to dissatisfaction with the opacity surrounding public institutions' release of official figures. Whistleblowers, and in particular healthcare workers, proved a significant source of insider information for journalists and for the general public at a moment in which the authorities avoided publishing complete data.⁹⁷

Civil societal initiatives asserting freedom of speech also proliferated. Public positions on the need to ensure transparency in the state of emergency were common for organizations concerned with open data and transparency (Funky Citizens made several public appeals: [Public appeal 1](#),⁹⁸ [Public Appeal 2](#),⁹⁹ as did the Center for Independent Journalism).¹⁰⁰ And besides initiatives undertaken

⁹⁶ For example, Recorder.ro, one of the most followed multimedia platforms, announced that it will not access funds from the Government but rely on donations: "[Recorder nu se înscrie pe lista instituțiilor de presă care solicită bani de la Guvern. Câteva explicații](#)" [Recorder Will Not Register on the List of Media Institutions that Demand Money from the Government. A Few Explanations]. May 14, 2020.

⁹⁷ For example, an investigation of Rise Project Romania started from videos and complaints by healthcare workers with regard to the poor quality of medical masks: [Felia interlopă din afacerea cu măști](#) [The Players and the Paperwork: Romania's Trade in Black Market Masks]. The investigation has led to a series of journalistic investigations, but also to the National Anticorruption Directorate starting judicial proceedings against the head of the state-owned company in charge of procuring these masks.

⁹⁸ Funky Citizens. "[Panica generată de coronavirus se tratează \(și\) cu transparență și nediscriminare](#)" [The Panic Generated by the Coronavirus Can be Treated (Also) with Transparency and Non-Discrimination]. March 13, 2020.

⁹⁹ Funky Citizens. "[Scurt/2: ce implică starea de urgență și de ce e important să existe și transparență](#)" [Short Explanation on What the State of Emergency Is and Why It Is Important to Have Transparency]. March 16, 2020.

¹⁰⁰ Center for Independent Journalism. [Mass media section](#).

by NGOs concerned with advancing democracy, advocacy activities were pioneered by organizations operating in various other spheres such as [geospatial.org](#)¹⁰¹ or the Community Foundations.¹⁰²

Foreign authoritarian media interference by Russia and China has increased during the pandemic. The most widespread Russian- and Chinese-sponsored narratives promote an anti-EU discourse, attacking the Western member states of the Union as being focused on their own well-being, while ignoring ‘second-hand’ states and the fair allocation of the EU’s coronavirus-related support package. It has been claimed that Romania would be severely financially disadvantaged in this allocation as opposed to the most influential EU countries, particularly Germany, which would receive the lion’s share of funding.¹⁰³ This claim is however false when tallied with the amount of funds distributed from the very beginning of the crisis.¹⁰⁴ Long-standing Romanian grievances were also leveraged in the Russian-fomented propaganda campaign as based on the reinforcement of assertions that Romania represents a colony of the EU. Most such narratives appear on social media or in online outlets, but some of them are found in mainstream media or are being weaponized in political debates. Relevant examples are present in the EU versus Disinformation database¹⁰⁵ dedicated to Romania.

On May 15, 2020, the state of emergency was lifted, as according to the President, a state of alert and a step-by-step relaxation of the emergency provisions was necessary because the epidemic had been contained.¹⁰⁶ Thus, the limitations imposed by the emergency legislation were either repealed by the government, modified by the Parliament, or dismissed through decisions

¹⁰¹ Funky Citizens. “[Manifest pentru publicarea completă a datelor privind evoluția pandemiei Covid-19 pe teritoriul României](#)” [Manifest for the Complete Publishing of the Data on the Evolution of the Covid-19 Pandemic in Romania]. March 20, 2020.

¹⁰² [Fundatii Comunitare](#). [Community Foundations].

¹⁰³ For example, even some former Romanian members of the European Parliament pushed for such narratives stating that “[EU throws crumbs at us](#)”. March 21, 2020.

¹⁰⁴ Coronavirus Response Investment Initiative allocations for Romania at the point of the declaration amounted to 3.07 billion euro, the fourth largest immediate allocation ([COVID-19: Commission sets out European coordinated response to counter the economic impact of the Coronavirus*](#). Press release, March 13, 2020, and Funky Citizens. “[Rugăm Guvernul și europarlamentarii să acționeze acum pentru a profita de mecanismele de solidaritate europeană](#)” [We Ask the Government and Members of the European Parliament to Act Now to Put to Use the European Solidarity Mechanisms]. March 15, 2020).

¹⁰⁵ EU vs Disinformation. [Disinformation cases](#).

¹⁰⁶ Digi24. “[Klaus Iohannis: Nu voi prelungi starea de urgență. Din 15 mai se vor deschide saloanele de coafură, cabinetele stomatologice și muzeele](#)” [Klaus Iohannis: I Will Not Prolong the State of Emergency. From May 15 We Will Open the Beauty Salons, the Dental Clinics and the Museums]. May 4, 2020.

of the Constitutional Court. However, several restrictions are still in place, in particular related to social distancing and avoiding large public gatherings. While the limitations that affected the media are in theory over, it is still hard to assess whether this means going back to a better, 'normal' state of affairs, because for Romania the 'normal' situation has never meant completely free and transparent media.

SERBIA

Even before the COVID-19 outbreak, the situation in Serbia regarding media freedoms and the freedom of expression had been deteriorating. Serbia is steadily falling in media freedom rankings. In 2020, Reporters Without Borders positioned Serbia in the 93rd place of all countries examined, which is a fall of 34 places since 2016.¹⁰⁷ Serbia remains politically a deeply divided society, with a media scene that faces a number of challenges: from relatively low transparency of media ownership and high concentration of media audience to political control and foreign influence.¹⁰⁸

The 2019 EU Progress Report warns that ensuring conditions for free speech remains a matter of serious concern. The report criticizes cases of intimidation of journalists and the fact that the government failed to categorize these as criminal acts or other types of offense. Such intimidation is especially rampant on social media.¹⁰⁹ According to the Association of Journalists of Serbia (UNS), in 2019, there were 75 cases of attacks on journalists, out of which 20 were direct threats, intimidation, and hate speech on social networks.¹¹⁰ Freedom House's 2020 Serbia Report is even more critical, giving the country a score of two (four being the highest) in the category of freedom of expression. In general, Serbia has been reclassified from a partially consolidated democracy to a hybrid regime. The report admits that the Serbian media situation is dire and is further 'undermined by the threat of lawsuits or criminal charges against journalists for other offenses, lack of transparency in media ownership, editorial pressure from politicians and politically connected media owners, direct pressure and threats against journalists, and high rates of self-censorship'.¹¹¹ The report emphasizes that the state and the ruling elite have a considerable level of influence over the private media through 'direct contracts and indirect subsidies'.¹¹² Of particular concern is the fact that many media outlets are in the hands of Serbian Progressive Party (SNS) supporters, some of which are involved in 'smear campaigns against the opposition and other perceived government opponents'.

¹⁰⁷ Reporters Without Borders. *2020 World Press Freedom Index – Serbia*.

¹⁰⁸ Media Ownership Monitor Srbija. "Indikatori rizika po medijski pluralizam" [Risk Indicators for Media Pluralism].

¹⁰⁹ European Commission. *EU Progress Report*. May 29, 2019, p. 5.

¹¹⁰ N1. "UNS: Prošle godine 90 napada na novinare i medijske radnike" [UNS: Last Year, 90 attacks on Journalists and Media Workers]. February 6, 2020.

¹¹¹ Freedom House. *Freedom in the World 2020 – Serbia*.

¹¹² Ibid.

Media regulation in Serbia is also problematic for a number of reasons. One issue relates to electronic media, where the Regulatory Body for the Electronic Media (REM) is often criticized for its lack of initiative and its passiveness regarding violations of professional reporting and for the lack of independence vis-à-vis the ruling elite.¹¹³ Project financing offered by state institutions is often criticized for being channeled significantly more towards pro-governmental media.¹¹⁴ The Media Registry itself is also deficient, as registration is only voluntary (media are not obliged to be registered).

Many of these problems are expected to be solved with the implementation of the new Media Strategy that was adopted at the beginning of 2020. This document, which the EU 2019 Progress Report on Serbia recognized as being drafted 'in a transparent and inclusive manner',¹¹⁵ aims to tackle many of the aforementioned issues, but it remains to be seen whether the provisions in the Strategy will be duly enforced.

Hence, the whole host of challenges faced by media outlets in Serbia limit freedom of speech. Although the effects of the COVID-19 pandemic are somewhat more limited in scope compared to the long-term political and economic developments negatively impacting the Serbian press, they further contribute to a deteriorating media environment. The domestic dimension of the shrinking of the space for a free press has stood out prominently. There have been two notable government actions over the course of the coronavirus pandemic that raised particular concerns. The first one was related to **the government's Conclusion**¹¹⁶ from March 28, with which the government decided to centralize reporting on the COVID-19 pandemic. This meant that all the information about safety measures and actions related to the coronavirus provided by unauthorized persons cannot be considered accurate and verified, and this gives the authorities the right to apply regulations related to liability that could result in legal consequences for spreading misinformation during the state of emergency.¹¹⁷ According to the Conclusion, the only valid source of

¹¹³ "REM – sedi jedan!" [REM – A Little Bit!]. February 25, 2020.

¹¹⁴ Cenzolovka. "Trke u kojoj su uvek poznati pobednici" [A Race in which the Winners are Always Known]. June 1, 2020.

¹¹⁵ European Commission. EU Progress Report. *Serbia 2019 Report*. May 29, 2019, p. 4.

¹¹⁶ Закључак. "Владе о информисању становништва о стању и последицама заразне болести COVID-19 изазване вирусом SARS-CoV-2" [Government Conclusion on Informing the Population About the Condition and Consequences of the Infectious Disease COVID-19 Caused by the SARS-CoV-2 Virus].

¹¹⁷ Danas. "Odluka Vlade o stavljanju pod kontrolu informisanja o pandemiji" [Government Decides to Control Information on the Pandemic]. March 31, 2020.

information is the Crisis Headquarters for Tackling the COVID-19 Pandemic, chaired by the Prime Minister.

What this meant in practice was vividly demonstrated on the very next day, March 29, when the Clinical Center of the Autonomous Province of Vojvodina in Novi Sad accused Ana Lalić, a journalist for Nova.rs, of public harassment and inflicting damage on the reputation of the health institution. Within a few hours, the police arrested Lalić, seizing her computer and searching her apartment.¹¹⁸ Lalić reported that the Clinical Center was operating in a chaotic manner and had a chronic lack of medicine, medical supplies, and equipment.¹¹⁹ The public immediately began protesting on social networks,¹²⁰ and so did various journalists' associations,¹²¹ accusing the government of suspending the Constitution and international conventions that guarantee human rights and the rights to freedom of opinion and expression.¹²² Prime Minister Ana Brnabić said on April 2 that at the plea of the President of Serbia, Aleksandar Vučić, the government had withdrawn the Conclusion, but she criticized again Lalić's reporting and said that the intentions behind the Conclusion were to protect Serbian citizens from fake news.¹²³ The withdrawal of the Conclusion was pushed by a social media campaign. International organizations such as the Council of Europe¹²⁴ and the Organization for Security and Co-operation in Europe¹²⁵ welcomed this decision. Lalić was later acquitted of all charges.

¹¹⁸ N1. "Policija došla po novinarku Nova.rs zbog teksta o Kliničkom centru Vojvodine" [The Police Came for the Journalist from Nova.rs because of the Article about the Clinical Center of Vojvodina]. April 1, 2020.

¹¹⁹ Lalić, A. "KC Vojvodine pred pucanjem: Bez zaštite za medicinske sestre" [KC Vojvodina before the Shooting: No Protection for Nurses]. *Nova.rs*, April 1, 2020.

¹²⁰ Cenzolovka. "Medijski mrak u doba korone (7): Hapšenje novinarku u prestonici kulture" [Media Darkness in the Age of the Crown (7): The Arrest of a Journalist in the Capital of Culture]. May 19, 2020.

¹²¹ 021.rs. "Novinarska udruženja: Povuci zaključak vlade o informisanju, uvodi se cenzura" [Journalists' Associations: Withdraw the Government's Conclusion on Information, Censorship is Introduced]. April 1, 2020.

¹²² Radio Slobodna Evropa. "Novinarska udruženja Srbije traže povlačenje Vladinog zaključka o informisanju" [Journalists' Associations of Serbia are Asking for the Withdrawal of the Government's Conclusion on Information]. April 1, 2020.

¹²³ N1. "Brnabić: Vlada Srbije povlači odluku o informisanju na molbu predsednika" [Brnabić: The Government of Serbia is Withdrawing the Decision on Information at the Request of the President]. April 2, 2020.

¹²⁴ 021.rs. "Savet Evrope: Dobro je što je povučen zaključak Vlade i novinarka puštena na slobodu" [Council of Europe: It is Good that the Conclusion of the Government has been Withdrawn and the Journalist has been Released]. April 2, 2020.

¹²⁵ Novi Magazin. "OEBS pozdravio odluku Vlade Srbije da stavi van snage zaključak o informisanju" [The OSCE Welcomed the Decision of the Government of Serbia to Invalidate the Conclusion on Information]. April 3, 2020.

A second disconcerting government action was related to **direct clashes of officials with the independent media at press conferences pertaining to the pandemic**.¹²⁶ The Crisis Headquarters held regular daily press conferences, which included expert members of the Crisis Headquarters, and from time to time – the President and the Prime Minister. Public officials used the platform provided by press conferences to express their displeasure with questions and remarks coming from independent outlets. On April 10, the government decided that from the next day onward the media would not be allowed to be present at the press conferences due to ‘safety concerns’. Instead, journalists would pose questions online.¹²⁷ It has been argued that this decision was most likely adopted in order to prevent professional media from asking critical questions to the Crisis Headquarters¹²⁸ and was condemned by media associations, the opposition parties, and the OSCE Mission to Serbia.

There have also been instances of **tension between the independent media and specific politicians**. A number of outlets and civil-societal organizations accused leading politicians (namely the President and government figures close to him) that their actions during the pandemic represented an abuse of political position and state resources for the purpose of the pre-election campaign.¹²⁹ Many criticized that government officials used public appearances for inflating their role in coping with the coronavirus crisis and thus gain popularity before the elections.¹³⁰ President Vučić has been particularly condemned for his ‘visits’ to various cities in Serbia during the pandemic, which were extensively covered by the media. The stated goal of the visits was the shipment of medical equipment (respirators), which the President personally presented to hospitals and other medical institutions.¹³¹

The pandemic’s consequences for the **economic sustainability of Serbian media** were even more dramatic. Printed media outlets, which traditionally rely on the distribution of hard copies, were most significantly affected. On March 29,

¹²⁶ Pejić, J. Đ. “Ko brine o čijem zdravlju” [Who Cares about whose Health]. DW.com, April 11, 2020.

¹²⁷ Danas. “Od subote konferencije kriznog štaba bez novinara, pitanja samo onlajn” [As of Saturday, the Crisis Headquarters Press-conferences to Take Place without Journalists, Questions Posed only Online]. April 10, 2020.

¹²⁸ Cvejić, B. “Vlast ne želi da gledaoci nacionalnih televizija čuju pitanja profesionalnih medija” [The Government does not Want Viewers of National Television to Hear Questions from Professional Media]. *Danas*, April 11, 2020.

¹²⁹ Istinomera, T. “Crta podseća političare da je predizborna kampanja obustavljena” [The Line Reminds Politicians that the Election Campaign has been Suspended]. *Istinomer.rs*, April 7, 2020.

¹³⁰ Danasa, Ekipa. “Da li je predsednik Vučić u političkoj kampanji?” [Is President Vučić in a Political Campaign?]. *Danas*, April 7, 2020.

¹³¹ Ibid.

six associations of independent media (Online Media Association; Association of Independent Electronic Media; Association of Local Independent Media 'Local Press'; Independent Association of Journalists of Serbia; Independent Society of Journalists of Vojvodina; Branch Union of Culture, Art, and Media 'Nezavisnost') submitted an appeal to the government to help the media deal with the effects of the crisis by supplying them with medical equipment such as masks, disinfection liquids, and gloves, as well as addressing the dramatic drop in revenue being caused by the decline in newspaper circulation and advertising. The above-mentioned six associations outlined that local media are the most endangered, since they already find it difficult to be sustainable. The coalition demanded the lowering or cancelling of various tax payments (on wages, profit, property, etc.) and the subsidizing of print media pricing for the maximum circulation of 6,000 copies.¹³² However, these calls were not heeded, and there was no special treatment of the media. Instead, they simply received the same kind of help that the government designated for all companies that were struggling during the coronavirus pandemic. For each company that applied, the government provided three monthly minimal wages per worker (for May, June, and July), and media outlets were able to apply for this support.

The economic viability of liberal and independent media has been especially damaged due to the crisis. Some of their offices were closed, and reporters mainly worked from home. The effects of the COVID-19 pandemic were devastating for print media, in particular, as their readership mostly belonged to older generations (those older than 65 were banned from leaving their homes for most of the duration of the state emergency and would therefore not buy newspapers), causing certain media – such as the independent political weekly *Novi Magazin* – to even stop their circulation. The independent media have moreover continuously found it difficult to win calls for project financing, which are usually obtained by the pro-government outlets.¹³³ On the other hand, online media have received a significant boost. In the first week of the pandemic, the number of Internet users increased by 20%, and the number of page visits to online media increased by 60%.¹³⁴ It is indeed likely that many of the print outlets will cease to exist or entirely move to the online space.¹³⁵

¹³² SEEcult. "Predlozi medijske koalicije Vladi Srbije za pomoć medijima" [Media Coalition Proposals to the Government of Serbia to Help the Media]. March 29, 2020.

¹³³ Centar za istraživačko novinarstvo Srbije. "CINS istražuje finansiranje medija" [CINS is Investigating Media Funding]. October 10, 2017.

¹³⁴ OvationBBDO. "WORD Covid-19: Mediji u doba korone". [WORD Covid-19: Media in the Age of the Corona]

¹³⁵ Interview with a former state official. Belgrade, June 18, 2020.

The state of emergency was lifted on May 6. It has been claimed that the measures were relaxed to hold parliamentary elections as soon as possible, as the election process was halted as a result of the pandemic. The justification of the relaxation may have moreover rested on a cover-up of the **exact number of cases of infection and fatalities**, meaning that these numbers could be much higher than was officially reported. BIRN claimed that, according to data they saw, over the period of March 1 – June 1, 2020, 632 people died from the virus, which is 388 more than was officially reported.¹³⁶ Expert members of the Crisis Headquarters denied that there was a cover-up and stated that the discrepancy came from a difference in the records of people who died as a consequence of the virus versus those who had died due to other reasons, only indirectly related to COVID-19.¹³⁷

The end of the state of emergency allowed parliamentary elections to go ahead. As of the time of writing, there have not been any substantial studies yet as to whether the pandemic contributed to the landslide victory of President Vučić's SNS party on June 21. Nevertheless, it can be surmised that the COVID-19 crisis reinforced the opposition that advocated for boycotting the elections – the turnout at the elections was the lowest in history – below 50% of registered voters.¹³⁸

Foreign authoritarian state interference has played an additional important role in the shrinking of the space for an independent press. In Serbia, unlike in some other countries, even before the outbreak of COVID-19, **favorable reporting** about third countries, mainly **Russia and China, and Euroscepticism** comes mostly from **the pro-government media**, in particular, from tabloids (*Informer, Alo!, Srpski Telegraf, Kurir*, etc.)¹³⁹ and certain TV stations (Pink, Happy).¹⁴⁰ Sowing

¹³⁶ N1. "BIRN: Broj umrlih i zaraženih od korone višestruko veći od zvanično saopštenog" [BIRN: The Number of Deaths and Infections from the Corona is Many Times Higher than Officially Announced]. June 22, 2020.

¹³⁷ European Western Balkans. "Srbija je prikrivala pravi broj slučajeva zaraze koronavirusom pred izbore, tvrdi BIRN" [Serbia has Covered Up the Real Number of Coronavirus Cases before the Elections, BIRN claims]. June 25, 2020.

¹³⁸ N1. "RIK na osnovu 97,23 odsto: Izlaznost ispod 50 odsto, SNS dobio 60,68 procenata" [Republican Electoral Commission based on 97.23 percent of the Counted Votes: Turnout below 50 percent, SNS Received 60.68 percent]. June 26, 2020.

¹³⁹ Velebit, V. "Proruski narativ u dnevnoj štampi u Srbiji. Potpirivanje rusofilstva" [Pro-Russian Narratives in Dailies. Enticing Russophilia]. *NIN*, May 27, 2019.

Kostantinović, I. "Velebit: Vlast u Srbiji kreira proruski narativ" [Velebit: Ruling Elite Creates a Pro-Russian Narrative]. *Voice of America*, June 3, 2019.

¹⁴⁰ Ivanji, A. "Pink" [Pink]. *Vreme*, April 5, 2019.

Gavrilović, Z. "Predstavljanje EU, SAD i Rusije u medijima – rezultati monitoringa medija" [Image of the EU, USA and Russia in the Media – Results of Media Monitoring] in Zoran Gavrilović et al (2019). *Svet u medijima [World in the Media]*. Biro za društvena istraživanja – BIRODI, p. 16.

doubt about EU solidarity is promoted by the government, and it is subsequently transmitted by the above-mentioned media. On March 15, the most notorious case of criticism happened when President Vučić said that 'EU solidarity does not exist'¹⁴¹ due to the alleged ban on the free import of medical equipment from the EU. Vučić emphasized that only the Chinese could help the Serbs in a swift manner. This was fake news, as import was not banned but became subject to special permits. While it is true that the Union was initially slow in responding in a unified way to the crisis, the measures it subsequently adopted (provision of more than 93 million EUR to Serbia to tackle the fallout of the coronavirus crisis)¹⁴² proved that it is a much more important partner in fighting COVID-19 than China or Russia. Both states did provide aid to Serbia, but much about that aid is not clear, as the government did not provide substantial information about it. For example, it is not stated what part of the aid represents donations or supplies that Serbia paid for. The official line is that the Chinese Ambassador to Serbia asked Serbian authorities to keep the exact data secret for now.¹⁴³

Over the course of the pandemic, social media networks were the main platform for debate. Major criticisms were focused on the actions of the ruling elite and the Crisis Headquarters. One of the leading members of the Headquarters, Dr. Predrag Kon, even announced his resignation due to criticisms on Facebook regarding his negative attitude on the Serbian Orthodox Church's request that believers be allowed to participate in church ceremonies and processions for Easter celebrations.¹⁴⁴ Social media was also the principal space for political debate within the opposition, due to disagreements as to whether the opposition should boycott the upcoming elections. Clashes were ongoing on Twitter. The individuals supporting the opposition were very critical regarding the actions of government officials, in particular relating to the alleged misuse of public office for the political campaign during the pandemic.¹⁴⁵ The opposition, barred from most nation-wide media, used Twitter as a primary

¹⁴¹ Nedeljnik.rs. "Samo Kina može da nam pomogne, evropska solidarnost ne postoji..." ['Only China Can Help Us, There is No European Solidarity']. March 15, 2020.

¹⁴² Delegacija Evropske unije u Republici Srbiji. "EU partnerstvo sa Srbijom: EU najbolji partner i najveći donator već 20 godina – i na prvoj liniji fronta u borbi protiv COVID-19" [The EU's Partnership with Serbia: EU Most Significant Partner and Largest Donor for 20 Years – And on the Front Line in the Fight Against COVID-19]. April 24, 2020.

¹⁴³ Kljajić, S. "Srbija: EU pomaže više, ali je Kina "bratska"" [Serbia: The EU Helps More, but China is 'Brotherly']. *DW.com*, April 4, 2020.

¹⁴⁴ N1. "Kon: Imamo snažnu podršku vlasti, zbog kritika i stava SPC sam hteo da odem" [Kon: We Receive Strong Support from the Authorities, because of the Criticism and Attitude of the Serbian Orthodox Church, I Wanted to Leave]. April 14, 2020.

¹⁴⁵ Popović, M. "Nova kampanja, stari problemi" [New Campaign, Old Problems]. *Istinomer.rs*, June 7, 2020.

platform for communication and focused on the actions of the President of Serbia and other members of the ruling SNS party (such as the shipments of medical aid and equipment to different cities in Serbia that were turned into high-level media events and looked like a political campaign).

Moreover, **the coronavirus crisis provided an opportunity to expose the extent of disinformation and propaganda carried out by the Serbian government.** On April 2, Twitter announced that it had deleted more than 8,500 ‘troll’ accounts in Serbia that promoted the ruling party, SNS, and its leader.¹⁴⁶ Twitter also deleted a number of accounts from Egypt, Honduras, Indonesia and Saudi Arabia, but the number of deleted accounts was by far the highest in Serbia. These accounts in total published more than 12,500,000 tweets and amassed more than 2,350,000 followers.¹⁴⁷ The Digital Forensic Centre from Podgorica has concluded that the pro-governmental trolls amplified messages about Chinese donations to Serbia during the pandemic. In the period March 9 – April 9, of the 30,000 tweets that were glorifying China, more than two thirds came from troll accounts, sharing information that originated from the social network accounts of President Vučić, the tabloids *Informer* and *Kurir*, and of Pink TV.¹⁴⁸

Overall, the domestic, foreign and technological dimensions shrank the space for media freedom in Serbia, exacerbating long-standing, pre-existing trends. To improve conditions for an independent press in the future, it is paramount that Serbian institutions push for the swift implementation of the recently adopted new Media Strategy. The Strategy outlines most of the problems in the media sphere in Serbia and presents relevant solutions ensuring the independent financing for public media broadcasters, full independence of the Regulatory Body for the Electronic Media, fixing of the overlapping competences over the implementation and control of the media, expansion of the role of public broadcasters, media pluralism, regulations on ownership and market control, and media literacy.

¹⁴⁶ Twitter Safety. [Twitter](#), 8:00 AM, April 2, 2020.

¹⁴⁷ Krainčanić, Sv. B. “Šta je sadržina poruka iz Srbije koje je Twtiter uklonio?” [What is the Content of the Messages from Serbia that Twitter Removed?]. *Radio Slobodna Evropa*, April 3, 2020.

¹⁴⁸ Danas. “Nova mreža botova u Srbiji: Vodili kampanju za veličanje kineske pomoći” [New Network of Bots in Serbia: They Ran a Campaign to Glorify Chinese Aid]. April 14, 2020.

ALBANIA

The media in Albania already faced a challenging situation before the coronavirus pandemic began, although the expanding crisis has highlighted certain areas in which the condition of the media has evolved in both a positive and negative manner. Reporters Without Borders¹⁴⁹ ranked Albania 84th out of 180 countries in the World Press Freedom Index in 2020 – a deteriorating ranking compared to previous years. In 2017,¹⁵⁰ Albania was ranked 76th; in 2018¹⁵¹ – 75th; and in 2019¹⁵² – 82nd. According to the European Union Progress Reports,¹⁵³ Albania has made limited headway in the area of freedom of expression. Although some legislative changes aiming to strengthen media independence have been introduced (such as the new Code of Ethics for journalists launched in March 2018, incorporating ethical guidelines for online media), the implementation of this legislation remains a challenge.

In Albania, the Audiovisual Media Authority (AMA)¹⁵⁴ is the regulatory authority in the field of audiovisual media outlets and of their supporting services. Albania is described as having a rich media landscape (yet concentrated in the hands of a few major owners), based on the high number of media outlets in the country. According to data from the AMA, 54 television stations operate in the country. Aside from the public broadcaster, Albanian Radio Television (RTSH), there are five more private operators with national broadcasting licenses, while 48 other broadcasters are listed by AMA as local media outlets. The total number of newspapers and magazines published all over the country is estimated to be over 200. In Albania, the Electronic and Postal Communications Authority (AKEP)¹⁵⁵ is the responsible regulatory authority for electronic communications, as assigned under Law No. 9918/2008 On Electronic Communications in the Republic of Albania. In terms of transparency, AKEP has informed all web portals/media that they should publish their NIPT/NUIS¹⁵⁶

¹⁴⁹ Reporters Without Borders. *World Press Freedom Index 2020*.

¹⁵⁰ Reporters Without Borders. *World Press Freedom Index 2017*.

¹⁵¹ Reporters Without Borders. *World Press Freedom Index 2018*.

¹⁵² Reporters Without Borders. *World Press Freedom Index 2019*.

¹⁵³ European Commission, *Albania 2019 Report*. May 29, 2019.

¹⁵⁴ Law No. 97/2013 “On the Audiovisual Medias in the Republic of Albania” as amended by Law No. 22/2016 and Law No. 91/2017. Official Journal of the Republic of Albania No. 37, March 19, 2013.

¹⁵⁵ In Albanian language it is known as Autoriteti i Komunikimeve Elektronike dhe Postare (AKEP).

¹⁵⁶ Unique Number of Subject Identification (BvD ID number).

identification number on their sites as of December 2018.¹⁵⁷ Online data can be accessed from the national business center with the names of media business owners. However, the ownership structures of media organizations remain oligopolistic. The advertising market in Albania is largely untransparent, and relevant legislation is not specific enough. For example, the Law on the Audiovisual Media¹⁵⁸ prohibits any one company holding a national audio or audiovisual broadcasting license from occupying a share of more than 30% of the advertising market, but in practice the law does not specify how to measure the advertising share (whether this percentage refers to the value of the advertisements or to the advertising airtime).¹⁵⁹ So, Albania has yet to introduce legislation in line with international best practices on media ownership and public advertising to increase transparency.

As regards domestic political and societal developments affecting **the shrinking of the space for media freedom**, already before the pandemic, the Albanian media landscape was subject to significant constraints. Key factors have included pressure from public institutions through state-sponsored advertising, and from major advertisers, the economic interests and political links of outlets' owners and financial insufficiency. In 2019, the government stepped up attempts to take control over the media under the pretext of fighting fake news. The 'anti-defamation' package proposed by Prime Minister Edi Rama aims to oversee electronic media. This will extend the scope of competences of AMA and AKEP, empowering them to intervene in cases of violations or abuses of content published by the media by imposing heavy fines or closing down outlets. On June 18, 2020, the Venice Commission opposed the Albanian anti-defamation law due to concerns over freedom of expression.¹⁶⁰ The Commission encouraged the creation of an independent self-regulatory body that could safeguard media accountability. It stressed the need to ensure that existing legislation is effective in tackling defamation and hate speech. Afterwards, the Prime Minister assured the public that the government would address the concerns raised by the Venice Commission regarding the anti-defamation law.

From the very beginning of the pandemic, the Albanian government established control over **information flows**. The government compelled citizens **to use only**

¹⁵⁷ Shqiptarja.com, "AKEP iu kërkon portaleve të pajisen me NIPT, ja lista e parë kush nuk e ka (Emrat)" [AKEP Asks Portals to be Provided with NIPT, here is the First List of Those who Do Not Have It]. October 15, 2018.

¹⁵⁸ Venice Commission. *Law no. 97/2013 on Audiovisual Media*. December 18, 2019.

¹⁵⁹ Media Ownership Monitor. "Albania – Advertising Market: Corporate, Cross Media and Hidden Ads".

¹⁶⁰ Exit News. "Venice Commission Opposes Albanian Anti-Defamation Law". June 19, 2020.

one phone number provided to them to contact health services/authorities in order to ask for help with general health issues and/or for COVID-19 cases (this was a problem, because during the first few weeks, the number was overloaded with calls, meaning that not all citizens could get answers to their concerns). In addition, the government stipulated the number of tests that were to be conducted and took over the functions of the sole source of information on the number of infected people and fatalities. In particular, private hospitals were not allowed to test citizens for COVID-19. Mass media had no means of monitoring or verifying the truth about the scope of the health consequences of the pandemic beyond the official figures that were provided.

Due to the COVID-19 crisis, media in Albania were forced to cancel some of their programs (such as entertainment programs involving a significant number of staff). Marketing activity was reduced, which has led to declining advertising revenue for many media outlets. In March 2020, AMA proposed that the government subsidize the salaries of employees working in the media sector, who represent an important link to the provision of real-time information for citizens. It has also been proposed that no fines be imposed until the end of June for all Audiovisual Media Service Providers (OSHMA) and AMA, allowing time to establish bridges of communication with the tax and customs authorities to minimize taxes on advertising, profit tax, social security payments, and suspension of state rent payments. This request was supported by the President, but Prime Minister Edi Rama said that the media falls into the category of big business and that the government cannot support it with grants but has made available a guarantee if they need to take out a loan to pay employees who are at home.¹⁶¹

As a result of the weak civic tradition in Albania, the growing economic hardships, and fear of the unknown, the vast majority of citizens have remained silent in the face of the daily social media and TV appearances of Prime Minister Edi Rama, instilling fear and declaring that we are in a ‘war against an unknown enemy’. Apart from public stunts, the government has also issued **normative acts, which restrict the fundamental rights and freedoms of citizens**. Some of the normative acts include Normative Act no. 3, dated March 15, 2020: On taking special administrative measures during the infection period caused by COVID-19;¹⁶² and Normative Act no. 4: On some additions to Normative Act no. 3, dated March 15, 2020, of the Council of Ministers,

¹⁶¹ Shqiptarja.com. “Thirrja e gazetarëve dhe Metës për të ndihmuar median! Rama: S’ka grante (dhuratë), nëse duan të marrin kredi” [Calls of Journalists and Meta to Help the Media! Rama: There are No Grants (Gifts), They Can Get a Loan if They Want]. April 2, 2020.

¹⁶² Official Public Center. [Normative Act no. 3](#). March 15, 2020.

On taking special administrative measures during the infection period caused by COVID-19.¹⁶³ According to these Acts, individuals who do not comply with the order given by the competent bodies restricting movement in parks and green areas, in urban areas or other open public spaces, are punishable with a fine amounting to 20,000 ALL and with a 3-month suspension of the ability to use their private vehicle, if the citizen has one.

Yet, there have been occasional civil societal initiatives demanding greater public debate on free speech¹⁶⁴ and the emergency legislation. On May 7, 2020, several activists along with dozens of other citizens held a protest in Skenderbej Square of Tirana, focusing on opposition to the isolation measures enforced by the Rama government. The protest degenerated into violence, and state police tried to disperse the citizens on the pretext that the latter did not have a permit to stay out of their homes and that they were not respecting social distancing.¹⁶⁵

As regards **foreign authoritarian media interference**, Russia's propaganda campaign – presenting medical donations as evidence of the Kremlin's altruistic readiness to help countries in need, juxtaposed to the EU's supposed self-interested behavior devoid of solidarity – did not find a receptive audience in Albania. Russian assistance to Italy in dealing with the emergency situation caused by COVID-19 and the lagging response of the US to help Italy received only scant attention in the Albanian media.¹⁶⁶ Indeed, such limited coverage can be attributed to the fact that **Russia and China have a negligible influence on Albanian media outlets**. Some media do indeed include headlines/topics favoring Russia or China (such as Sot News and Tirana Today), but they are relatively few and have a small audience compared to outlets publishing pro-USA/EU content. The perspectives of the news sources with a pro-Russian/Chinese bent are focused on the claim that Russia is one step ahead of other countries by producing a test able to diagnose COVID-19 in 90 minutes,¹⁶⁷ conducting trials

¹⁶³ Official Public Center. *Normative Act no. 4*: March 16, 2020.

¹⁶⁴ For instance, journalists protested against the approval of the anti-defamation package on December 18th 2019: DW.co. “*Protestë e gazetarëve kundër miratimit të Paketës Antishpifje*” [Journalists Protest against the Approval of the Anti-Defamation Package]. December 18, 2019.

¹⁶⁵ Civil societal protest against the Penal Code regarding the quarantine: Porta Vendore. “*Shoqëria civile, protestë për Kodin Penal, përplasjet me policinë, shoqërohen dy prej tyre*” [Civil Society Protests against the Criminal Code, Clashes with the Police, Two of the Protesters are Accompanied to the Police Office]. May 7, 2020.

¹⁶⁶ Tirana Today. “*Rusia ndihmon Italinë, dërgon 9 avionë me materiale sanitare dhe mjekë*” [Russia helps Italy; sends 9 planes with sanitary materials and doctors]. March 22, 2020.

¹⁶⁷ Sot News, “*Rusia një hap përpara në luftën kundër Covid-19, vjen me risi në kuadër të testit për diagnostikimin*” [Russia is one step ahead in the fight against COVID-19, it comes up with innovations as part of test for diagnosis]. March 28, 2020.

on the COVID-19 vaccine,¹⁶⁸ and assisting the US with medical equipment.¹⁶⁹ One of the narratives related to China stated that Beijing feels insulted by Western countries and the US, as it is blamed for a delay in publicizing the data on the consequences of COVID-19. A Chinese medical consultant is quoted as claiming that China has been fully transparent in declaring and making public its COVID-19 data.¹⁷⁰

Social media represented a key platform for the spread of disinformation. In the first months of the pandemic, disinformation on COVID-19 was rampant especially on Facebook. Some of the disinformation content related to the EU, which was supposedly not ready to handle the coronavirus crisis or to help its member states. The dissemination of fake cures for the coronavirus has also been observed. It has been claimed that COVID-19 can be treated with garlic or alcohol, and a rumor has circulated that a vaccine for the disease has already been found.¹⁷¹ Another narrative was that of a coronavirus treatment being linked to the use of bleach or pure alcohol.

Moreover, criticism of the authorities' handling of the virus has been censured on Facebook via a systematic and well-planned campaign conducted through a task master/perpetrator called Acromax Media GmbH – a German-registered, Albanian-owned company that claims to operate the digital rights management for Albanian media. It has signed contracts with major Albanian digital broadcasters (Klan TV, Top Channel TV, News 24, Vizion Plus TV, etc.).¹⁷² Operating officially on their behalf, it prohibits posting videos on Facebook, which include content, however short, taken from these broadcasters' programs. The removed posts tend to be critical of Prime Minister Rama and the Tirana city Mayor. However, posts praising the authorities or conveying their views are not highlighted as copyright violations by Acromax. For example, Exit news has uploaded several videos in which

¹⁶⁸ Sot News, "Vladimir Putin jep lajmin e madh, Rusia nis testimet tek njerëzit për vaksinën kundër koronavirusit: Ja çfarë do të ndodhë në 29 qershor!" [Vladimir Putin gives the big news, Russia starts testing people for the corona virus vaccine: Here's what will happen on June 29!]. April 8, 2020.

¹⁶⁹ Balkan Web, "Rusia ndihmon SHBA-në në luftën kundër koronavirusit, u dërgon avion me pajisje mjekësore" [Russia helps the United States in the fight against corona virus; send them a plane with medical equipment]. April 1, 2020.

¹⁷⁰ Sot News. "Kina hidhet në sulm, ekspertët akuzojnë Perëndimin për fyerje, premtion fakte për transparencën e të dhënave" [China launches attack, experts accuse West for insulting] June 5, 2020.

¹⁷¹ Hasanaliaj, I. "Lajmet e rreme që qarkulluan më shumë për COVID-19" [The Fake News that Circulated the Most about COVID-19]. *Faktoje.al*, April 2, 2020.

¹⁷² Estrada, J. "Acromax Media-Albanian Government's tool for online Political Censorship". *Exit News*. August 19, 2019.

Tirana's Mayor Erion Veliaj made a promise (that he later did not fulfill) to hold back on granting new building permits.

Overall, at Acromax Media's request, hundreds of video posts have been removed from Facebook, pages have been deleted or temporarily blocked, and personal profiles have been removed. Journalists, activists, media portals, and even citizens (some examples being Exit news, Faktoje.al, Nisma Thurje)¹⁷³ have found their content removed by Acromax, often for no apparent reason. This is an abuse of copyright principles to enable political censorship by violating the fundamental right of free speech. As the Albanian portal exit.al¹⁷⁴ – which has made a full investigation on this case – wrote recently, the German branch of Reporters Without Borders has condemned the activities of Acromax, considering it an attempt to suppress independent journalism.

Yet, the Albanian social media environment has to be contrasted with the **more fact-oriented coverage provided by mainstream media**. The most watched media outlets (for example Klan TV)¹⁷⁵ have relied on accurate news sources focusing on information coming out of the World Health Organization (WHO) in order to help ensure society is duly informed. Other media outlets have publicized EU reports to inform citizens of instances of disinformation on the coronavirus. In general, influential mass media in Albania, mainly television stations, collaborate with experts, although shows with wider audiences have recruited paid 'expert' groups who debate a wide range of issues and try to influence public opinion, motivated by their proximity to the political and economic interests of media owners.¹⁷⁶ However, during the coronavirus pandemic characterized by uncertainties about the nature and treatment of the disease, objective scientific information has been sought after. Hence, a positive development has been afoot, whereby credible expert opinion has taken up more media space.

¹⁷³ Netzpolitik.Org. "A German company is responsible for the deletion of the videos critical of the Albanian government". March 19, 2020.

¹⁷⁴ Estrada, J. "Acromax Media-Albanian Government's tool for online Political Censorship". *Exit News*, August 19, 2019.

¹⁷⁵ Klan TV. "Rusia, fushatë dezinformimi në BE për koronavirusin" [Russian Disinformation Campaign on the Coronavirus]. March 20, 2020.

¹⁷⁶ Balkan Investigative Reporting Network (2015). "To close one eye to the news, Self Censorship in the Albanian Media" Tirana.

