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Enabling the Future of Public Service Broadcasting in the Western Balkans:
Working Towards Improving the European Commission's Enlargement Package Reporting as an Instrument for Shaping the Reform of Public Service Broadcasters in EU Candidate Countries

ABOUT THE PROJECT

This study was commissioned by the Center for Social Research Analitika, based in Sarajevo, Bosnia and Herzegovina. The work was conducted and recognized in partial fulfillment for the "Policy Labs" course within the School of Public Policy at Central European University.

Policy Labs are part of the MA curriculum and give an opportunity for small teams to work for external clients producing and presenting policy relevant research that will be used for advocacy, assessment and development. Clients are civic organizations, donors, research centers and international organizations. The Policy Lab focusing on this project for the Center for Social Research Analitika was mentored by Andrew Cartwright from the Center for Policy Studies.

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Abstract

The situation regarding the politicization of public service broadcasters (PSBs) in the Western Balkans (specifically for this study: Albania, Bosnia and Herzegovina, Kosovo, the Former Yugoslav Republic of Macedonia (Macedonia), Montenegro, and Serbia) is widely considered to have stagnated or deteriorated in the past several years. While the prospect of EU accession has been a driver for reform in the past, this decline will likely not be improved by the fact that the European Commission (EC) announced in July 2014 a five-year hiatus on admitting any new members to the European Union (EU)—dampening the pressure and urgency to make necessary reforms or to cease bad practices. This study asks whether the announcement of the hiatus has had any effect on the EC's consideration and monitoring of politicization of PSBs in the Western Balkans and what needs to be done to revert the worrying trend in the region. To do so, the study surveyed the most recent scholarly literature on the politicization of Western Balkan PSBs and then compared this materials' findings to the conclusions published in the progress reports for the Western Balkans issued as part of the EC's "Enlargement package" reporting. By incorporating into this analysis the most recent policy recommendations and findings from the Center for Social Research Analitika's May 2016 conference "The Future of Public Service Media in the Western Balkans: Never-Ending Transition?," this study aims to jump start the policy discussion and highlight what the EC could do to improve and supplement its reporting before the EC's hiatus concludes.

Introduction

The general consensus today is that the media environment in the Western Balkans—defined in this study as Albania; Bosnia and Herzegovina; the Former Yugoslav Republic of Macedonia (hereinafter "Macedonia"); Kosovo; Montenegro; and Serbia—has stagnated or even worsened, especially as donor support and international attention have shifted away from these countries since the mid-2000s.[1] Freedom House's "Freedom of the Press 2016" report goes so far as to mark Macedonia's media as having slipped to the status of "not free," while the rest of the Western Balkans stands at "partly free."[2] Moreover, this same report recognizes a regional pattern of declining indicators for media freedom, with Macedonia and Serbia even being registered among those countries with the steepest recorded declines in scores worldwide.

As Analitika's current project[3] and previous working paper series on media and democratization in the Western Balkans has suggested, the situation is particularly poor with respect to public service broadcasters (PSBs), which are often the subject of direct political interference and influence, and furthermore stunted by particularly small media markets and unsustainable funding mechanisms. Reversing such a worrying trend in the Western Balkans will certainly not be easy, although Analitika has intimated that the pressure for the necessary reform of PSBs and media laws throughout the region can and must come from within—through the work of civil society organizations, the wider community of experts, professional associations of journalists, the public, and from the PSBs themselves.

But this process is not happening in a vacuum. Above all, the Western Balkan countries either carry the status of official candidate countries (Albania, Macedonia,

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[1] These six countries are the focus of the Center for Social Research Analitika's (hereinafter "Analitika") current project "The Prospect and Development of Public Service Media: Comparative Study of PSB Development in Western Balkans in Light of EU Integration." Croatia, which is politically and geographically a part of the Western Balkans, was also included as a case study in some parts of Analitika's project and the capstone conference in Sarajevo on May 19-20, 2016. It was not considered here for the purposes of this paper.

[2] "Freedom of the Press 2016" (Washington, D.C.: Freedom House, April 2016), https://freedomhouse.org/sites/default/files/FH_FTOP_2016Report_Final_04232016.pdf.

[3] "The Prospect and Development of Public Service Media: Comparative Study of PSB Development in Western Balkans in Light of EU Integration" was launched by Analitika in cooperation with the University of Fribourg, Switzerland between July 2014 and June 2016, culminating in a conference held in Sarajevo on May 19-20, 2016.

Montenegro, Serbia) or "potential candidate countries" (Bosnia and Herzegovina, Kosovo) for European Union (EU) membership. Europeanization and the leverage of various European institutions should in theory and in practice be able to push the development of PSBs in these countries along, potentially even providing (i) the incentive for local policymakers and politicians to reform or (ii) the window of opportunity for interested civil society groups, international and regional expertise, and the media to bolster their position and to make their case to both policymakers and the voting public.

That said, the fallout of the ongoing European debt crisis or "Euro Crisis"[4] and the ensuing jolt to the European system might undermine the supposed leverage the EU maintains over these candidate countries, or, for that matter, of the EU's resolve in making PSB reform a priority. Perhaps most striking in this regard was the July 2014 announcement by Jean-Claude Juncker, the incoming President of the European Commission (EC), that there would be a five-year hiatus on any additional enlargement,[5] potentially sending the wrong signals to the Western Balkans and sapping any urgency to make necessary reforms or to stop bad practices. Given this, it is more crucial than ever to understand:

1. What is leading to and enabling the politicization of PSBs in the Western Balkans;

2. How the EU understands the status and development of PSBs in the Western Balkans;

3. What instruments are at the EU's disposal in shaping the development of media systems in Western Balkan candidate countries; and

4. How could these instruments be potentially altered, reformulated, reconstituted or supplemented to better reflect and be able to meet the challenges and issues raised by the latest scholarship?

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[4] This refers to the outstanding debt issues that have come to the surface following the 2008 Financial Crisis, which led to talk of Greece leaving the Euro area (a so-called "Grexit") and the aggravation and entrenchment of a north-south divide between EU members This has dominated European policy discussions, and thus sapped much of the political will in Brussels for extending European Union membership further east.

[5] Jean-Claude Juncker, "A New Start for Europe: My Agenda for Jobs, Growth, Fairness and Democratic Change" (Strasbourg: European Commission, July 15, 2014), https://ec.europa.eu/priorities/sites/beta-political/files/juncker-political-guidelines_en.pdf.

In working towards answering these questions regarding the role that the EU can play in the development of PSBs in the Western Balkans and to better root out how the EU can work towards undermining the politicization of PSBs in the Western Balkans, this study explores (i) the effect that the EC has in relation to reforming and developing PSBs in the Western Balkans; (ii) what Analitika assembled through its media-focused projects and conferences has suggested are the major contemporary concerns on the ground in the Western Balkans in terms of PSB development in the face of political interference; and (iii) whether the tools available, specifically here the EC's "Enlargement package" reporting, are best suited to address these problems. In doing so, the study will provide an analysis and recommendations related to this specific tool, beginning a wider discussion as to how the EC needs to begin re-thinking and re-tooling its approach toward advocating for PSB reform within the candidate countries of the Western Balkans.

The next section will expand upon the theoretical underpinnings of creating the conditions for advancing an independent PSB and the kinds of tools the EC has available that can either provide an opening for or undercut such conditions, and focuses on the EC's "Enlargement package" reporting. The key question becomes whether what the EU is suggesting in its most recent evaluations and reports on the six country cases under consideration here (i) has changed since the EC's 2014 announcement and (ii) matches up with what has been discussed and recommended by the scholarly literature and at Analitika's May 2016 "The Future of Public Service Media in the Western Balkans: Never-Ending Transition?" conference. To do so, the study establishes a methodology for both understanding the details of the scholarly literature and identifying the EU's position. As noted below, this first involved desk research regarding the development of PSBs in the six individual country cases so as to identify major themes and issues related to politicization and any potential recommendations, and second the major conclusions from Analitika's May 2016 conference. In identifying these issues, the study shifts to reviewing the progress reports issued by the EC for the past five years, and then suggests that the scholarly literature and the EC's views of the development of PSBs in the region actually match up quite well—with the EC's most recent reports issued in 2015 more focused and

detailed regarding PSB development than those before. At the same time, this study also suggests—based on the conclusions of Analitika's May 2016 conference—how this specific policy instrument could be further modified and implemented in a way to better combat the politicization of PSBs in the Western Balkans.

Theoretical Background

The carrot of EU membership and the conditionality attached to it have provided the Union with the influence to push forward immense economic and social change in post-communist Europe—indeed this carrot has even been described as the EU's "most successful foreign policy." [6] Given that the EU both (i) sets out particular demands and requirements that all applicants must meet in order to join and (ii) that there is credibility behind the denial of membership, it would seem that applicant countries are without a choice of reforming and democratizing in order to meet the acquis communautaire. And in setting out those demands and getting candidates to meet them, the EU certainly has viable instruments and tools at its disposal: financial and technical support to candidate countries as provided through the current Instrument for Pre-accession Assistance (IPA II) for the period 2014-2020; the issuing of statements and progress reports that can name and shame (or praise) candidate country elites; the setting of action plans, specifically through the "Enlargement package" strategy paper and progress reports that provide a kind of roadmap for action and act as measures of progress evaluation; the opening and closing of chapters during accession negotiations based on candidate progress; as well as the instituting or sponsoring of various initiatives, conferences, and events aimed at addressing specific issues as necessary.

However, the literature also suggests that the impact the EU maintains over candidates or potential candidates has varied widely during previous waves of enlargement. This has namely been attributed to (1) whether local elites perceive the EU's threat of denying membership as credible; (2) how beneficial EU membership is

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[6] Frank Schimmelfennig and Hanno Scholtz, "Legacies and Leverage: EU Political Conditionality and Democracy Promotion in Historical Perspective," *Europe-Asia Studies* 62, no. 3 (May 2010): 443–60.

perceived by the elites in the candidate country in comparison to the costs of control or threat to political position through democratization; and (3) the quality and quantity of cultural and economic linkages between the EU and the applicant country (in terms of the elites and/or the general populace).[7] The implications here are that EU membership must be seen as a viable and reachable objective, which may have been made all the harder by the EC's 2014 announcement of a five-year enlargement hiatus.

The EU and PSBs

The approach that the EU has largely taken towards PSB development in candidate countries has apparently been to advocate for the almost wholesale importation of a model devised around structures and practices from the core or original EU member states. However, this approach has already been roundly criticized in the case of the Western Balkans. For one, simply importing a Western-liberal media system into the region, without adapting and molding the enlargement criteria to the specific context of the media markets in the Western Balkans, is considered a non-starter and simply not viable.[8] Moreover, the ensuing "tick box" approach of meeting a list of criteria and measures is seen as likely having two effects. On the one hand, it has been implied through an evaluation published by the EC itself that the Western Balkan countries simply do not have the capacity at this time to meet the normative expectations being placed upon them in terms of highly sustainable and independent PSBs.[9] Therefore the Western Balkans is being set up to fail. But this could also have the effect, in the seemingly hopeless attempt to meet the EU's criteria,

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[7] *Id*.; Tanja A. Börzel, "When Europe Hits … beyond Its Borders: Europeanization and the near Abroad," *Comparative European Politics* 9, no. 4/5 (2011): 394–413; Steven Levitsky and Lucan Way, *Competitive Authoritarianism: Hybrid Regimes after the Cold War*, Problems of International Politics (New York: Cambridge University Press, 2010); Frank Schimmelfennig and Hanno Scholtz, "EU Democracy Promotion in the European Neighbourhood Political Conditionality, Economic Development and Transnational Exchange," *European Union Politics* 9, no. 2 (June 1, 2008): 187–215,

[8] Katrin Voltmer, "Building Media Systems in the Western Balkans: Lost between Models and Realities," Working Paper Series on International Media Assistance in the Western Balkans/ Working Paper 10/2013, Prepared in the Framework of the Regional Research Promotion Programme in the Western Balkans (RRPP) (Sarajevo: Analitika - Center for Social Research, 2013).

[9] See Annex 2 of "Western Balkans and Turkey Media and Freedom of Expression Fact-Finding and Scoping Study" (Particip, April 2013), http://ec.europa.eu/enlargement/pdf/key_documents/2013/wbt_media_study.pdf.

of producing window-dressing measures that reveal both that (i) European values and principles are not actually taking hold or being internalized and (ii) the potential for backsliding after EU membership has been created, which would be harder to dislodge once the carrot of membership no longer remains. Connected to this is the suggestion that while the EU may apply significant leverage through conditionality, its insistence and consistency on certain issues has and may wane overtime—that the EU has been willing to look past certain deficiencies or to simply accept empty promises in terms of PSB reform in the past, as apparently happened during the accession of Bulgaria and Romania.[10] Consequently, even when significant leverage is applied on many different issues, some of them will simply fall through the cracks—a situation that occurred in Albania, for instance, where sufficient overall leverage was applied by the EU to push for overall democratization, but which failed in the case of media freedom since the EU had not prioritized the issue and could not successfully prevent media abuse.[11]

The EU certainly does not act alone on media reform in the Western Balkans. Regional integration in Europe involves a much broader framework including guidelines and recommendations by the Council or Europe (CoE), the Organization for Security and Co-operation in Europe (OSCE) and the Regional Cooperation Council (RCC) that all support the further development of either PSBs in the Western Balkans specifically or media generally as a means to ensure political pluralism and freedom of expression. This is to say nothing of the efforts undertaken by the vast network of international non-governmental organizations and civil society groups in the Western Balkans focused on PSB development. But the EU arguably remains the main reference point in the region for pushing for the development of PSBs and for providing the necessary incentives to improve the media situation in the Western Balkans, given that it specifically requires applicants to create or develop PSBs as a

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[10] Mark Thompson, "Looking for Shortcuts? Assistance to – and Development of – Public Service Broadcasting in Bosnia-Herzegovina, Serbia, Kosovo, Macedonia, and Albania," Working Paper Series on International Media Assistance in the Western Balkans/ Working Paper 9/2013, Prepared in the Framework of the Regional Research Promotion Programme in the Western Balkans (RRPP) (Sarajevo: Analitika - Center for Social Research, 2013).

[11] Steven Levitsky and Lucan Way, *Competitive Authoritarianism: Hybrid Regimes after the Cold War*,

requirement for membership.[12] Given the literature discussed above, the implication appears to be that the effectiveness of the EU will depend on three linked factors: (1) that the policy demands and recommendations that are devised are made with a deep understanding of the candidate country and its media environment and context; (2) that the EU maintains a consistency in its insistence and standards in evaluating PSB development; and (3) that the concerns raised by the EU about PSBs in the Western Balkans be followed up upon to ensure compliance and keep the impetus on reform.

Therefore, this study now turns to whether the EU's focus and discussion of public service broadcasting in the Western Balkans and the resulting recommendations and suggestions it has issued as part of the enlargement process take into consideration these aforementioned factors. Does the EU's view of the region in terms of PSB development conform to the candidates' contexts and address the issues highlighted in the scholarly literature, as discussed below? And, given the EC's announcement of no new enlargement for at least five years, has the EU's insistence and its focus on reforming PSBs in the Western Balkan been altered somehow? The remainder of this study will thus address these questions and suggest how those concerned should react to the findings, by first outlining how the EC's stance can be analyzed and then comparing it against the assembled scholarly findings.

Methodology

In order to explore the issue of politicization and the type of influence the EU may have on the six country cases under consideration here, the study takes a two-step approach involving a literature review and then a content analysis of EU publications, which represent a single, albeit significant tool for the EC to capitalize upon in incentivizing and pushing forward the development of PSBs in the Western Balkans.

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[12] Karol Jakubowicz, "Public Service Broadcasting: Product (and Victim?) of Public Policy," in *The Handbook of Global Media and Communication Policy* (Wiley-Blackwell, 2011), 210–229.

First, desk research was undertaken on public service broadcasting in Analitika's six country cases. Based on materials previously used, provided and published by Analitika, particularly those published as part of its "Working Paper Series on Media Assistance in the Western Balkans," this study was able to locate some of the most recent and up-to-date publications on the region, which provided a discussion of the underlying causes of politicization as well as particular phenomena and concepts associated with politicization of PSBs in the region. In addition to this literature review, the authors of this study attended Analitika's two-day conference in Sarajevo capping its project on the future of public service broadcasting in the Western Balkans, which provided a forum for discussion and produced a number of presentations on some of the most recent research from both academics and practitioners on PSB development in the region. These presentations suggested a number of key findings and ways forward based on the assembled experts' discussion, and represent what is likely some of the most recent scholarly insight into the issues facing PSB development in the region and what international and regional experts believe still needs to be done.

Having identified these on-the-ground issues, the study then went on to look at what the EC has actually said with regards to the six Western Balkan country cases and their progress on developing a public service broadcasting service that fits EU requirements and criteria. To do so, the study collected and summarized the findings of the EC's "Enlargement package" reporting published from 2011 through 2015, the latest report date available at the time of publication. This annual reportage not only includes an Enlargement Strategy Paper, but also individual country assessment reports for all candidate and potential candidate countries. In reviewing all of this material over the five-year date range, it was possible: (1) to establish a baseline for the EC's stance on PSB development and progress in the region; (2) to deduce whether the stance, content, and/or intensity of this reporting was altered following Juncker's 2014 announcement of no further enlargement; and (3) to understand whether the statements and recommendations made by the EC in these reports matched with the overall themes and issues identified in the literature review. Consequently, in discussing the Analitika conference conclusions with this particular

instrument, this study works towards suggesting how these reports could potentially be altered in order to make this particularly tool better suited to the realities on the ground and to affect change in the region.

Overviewing the Literature on Politicization of Public Service Broadcasting in the Western Balkans

Like the geographical and political map the media landscape of the Western Balkans is highly diverse, with each country maintaining its own context, history and course of development. However, there are several common features that can be identified from reviewing the literature on PSB development in the Western Balkans, particularly Analitika's *Working Paper Series on Media Assistance in the Western Balkans*:

- Television reigns supreme, since it remains the most available and popular source for news and information. In most of the cases, the public broadcaster is *a* or *the* dominant media entity, and in some cases is the sole outlet with national coverage—although the number of private TV channels is growing;
- Small and undeveloped media markets, which makes regional PSBs generally unattractive for foreign investment;
- Poorly developed civil society, which is itself often the target of political interference and influence;
- So-called "fuzzy ownership" of the media, meaning that it is often not clear or transparent who owns a particular outlet and, therefore, potentially influencing its staff or editorial bent;
- Partitocratic government, in which a single party, parties or coalition dominate politics, which has led to the spread of informal networks of power and control, a general spread of corruption, cronyism, and state or regulatory capture, whereby these parties can legally bend institutions and processes to their own private interests; and

- A general lack of institutional autonomy, particularly with concern to PSBs given, but not limited to the fact, that owners and even PSB staff can be political appointees, party loyalists or politicians' family members.

This section provides a discussion of the key issues surrounding politicization in the media systems of the six countries cases under consideration here in light of these types of common factors. More specifically the study seeks to explain what, according to the scholarship, leads to the politicization of the PSBs in the Western Balkans and respectively what the main implications are based on this material.

The Argument: Given that EU membership has been a strong incentive and goal for all of Analitika's six country cases, some countries have already conducted significant reforms in the media sector. However, the politicization of media remains a kind of contagious disease that the public media in all six countries, and even today in some EU member states, are still suffering from. In conducting a review of the literature, there are three underlying factors that are implied to contribute to the politicization of the media in the Western Balkans: lack of stability in the political system, ethnocentrism, and the difficult economic situation. Once shaped and fueled by these factors, politicization can lead to a number of identified phenomena that can be seen throughout the region, specifically: political parallelism, concentration of media ownership, and a lack of editorial independence. And as this same literature review suggests, these issues remain unresolved despite the existing recommendations and reports from major international governmental and non-governmental institutions such as the EU, CoE, OSCE, and Open Society Foundations.

Lack of stability in the political system

The fragility of the political system is a common characteristic of the six countries under consideration here. They share relatively similar political backgrounds: (i) given that all are former socialist countries, and all but one resulting from the collapse of Yugoslavia; (ii) that several states are emerging today through what is either called a post-war (Bosnia and Herzegovina) or post-conflict (Kosovo, Macedonia) period; and (iii) have been subject to significant Western involvement in the process of democratization, particularly with respect to military intervention and

peacekeeping presences in Albania, Bosnia and Herzegovina, Kosovo, and Macedonia. And with regards to media system formation and development, PSBs have been transformed from formally state-subordinated media systems during the communist period (in Serbia, Albania), while in some cases like Montenegro the state-owned media was privatized.[13] The general pattern of funding and ownership followed by the public and private broadcasters in the region is namely determined by a shift from donor-sponsored outlets during the process of democratization to more interest-driven media models.

Many argue that political influence on the public media has increased over the last several years due to the international disengagement from the current political issues in these Western Balkan countries.[14] But this is also linked to the legacy of the socialist system, an undeveloped institutional culture, overall corruption, as well as state capture by political and economic elites of PSBs, which has been invigorated and embolden by the fact that many international institutions and donors involved in the stabilization process, particularly in Bosnia and Herzegovina, Kosovo, and Macedonia, have shifted their attention away from the region. This has consequently allowed for domestic political actors to more easily exploit the public media without fear of reprisal and can give greater access or resources to those who are uncritical to the current political situation or regime.

On the other hand, the unstable political systems in the region pose impediments to the following of a consistent policy towards the public media. In Kosovo, for example, unstable coalitions have dominated political life since the country emerged as an independent state out of the former Yugoslavia (three different coalitions governed between 2007 and 2010 in Kosovo). Consequently, the frequent political changes as well as fragmented governments make pushing forward

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[13] Daniela Brkić, "Media Integrity Report: Media Ownership and Financing in Montenegro: Weak Regulation Enforcement and Persistence of Media Control" (South East European Media Observatory, 2015), http://mediaobservatory.net/sites/default/files/Media%20Ownership%20and%20Finances%20in%20Montenegro.pdf.
[14] For example: Katrin Voltmer, "Building Media Systems in the Western Balkans: Lost between Models and Realities," Working Paper Series on International Media Assistance in the Western Balkans/ Working Paper 10/2013, Prepared in the Framework of the Regional Research Promotion Programme in the Western Balkans (RRPP) (Sarajevo: Analitika - Center for Social Research, 2013); Amer Džihana, Kristina Ćendić, and Meliha Tahmaz, "Mapping Digital Media: Bosnia and Herzegovina" (Open Society Foundations, June 11, 2012)

relevant political or media agendas difficult. Or, as Miftari points out in the case of Kosovo: "Kosovo's political system suffers from a "low policy stability" syndrome and the voting on relevant legislation, including media legislation, is often driven alongside political party lines, interests and calculations."[15] This finding appears largely valid throughout the region, although it should also be noted that in Serbia post-2012 and in Gruevski's Macedonia, personality-driven party-centric regimes took hold. These regimes have deteriorated the media freedom situation in these countries generally, as Freedom House's latest report attests, and also see advantages in the regulatory capture of PSBs to fulfilling their own interests.

Furthermore, in these newly formed and still vulnerable Western Balkan states the so-called "politicization of the state" has had a considerable impact on public media policy. This refers to the idea that law and administration are the function of the political actors' needs rather than products of policy strategy aimed at securing public goods. Or, as Miftari points, "legal enforcement favors partisan political interests, whereas policy favors resource extraction for private ends."[16] In all six cases discussed here then the absence of a well-developed civil society amplifies the negative effects of the politicization of the state.

Ethnocentrism

The ethnocentricity of the media landscape is another key issue contributing to the politicization of media in the Western Balkans. Clear and deep ethnic divisions persist in some of the candidate countries that have experience protracted ethnic conflict (specifically Bosnia and Herzegovina and Macedonia), but even in those that have not, like Montenegro where the media system has been divided between pro-Montenegrin and pro-Serb factions.[17] And especially in those states like Bosnia and Herzegovina where ethnic divisions have become so entrenched by conflict, the very

[15] Naser Miftari, "Starting from Scratch: The Role of Media Assistance in the Establishment of Independent Media Institutions in Kosovo," Working Paper Series on International Media Assistance in the Western Balkans/ Working Paper 4/2013, Prepared in the Framework of the Regional Research Promotion Programme in the Western Balkans (RRPP) (Sarajevo/ Prishtina: Analitika - Center for Social Research - D4D - Democracy for Development, 2013).
[16] Id.
[17] Davor Marko, "Citizenship in Media Discourse in Bosnia and Herzegovina, Croatia, Montenegro, and Serbia," CITSEE Working Paper Series (Edinburgh, Scotland, UK: University of Edinburgh, 2012), 28.

concept of the public interest becomes heavily entwined and shaped along ethnic lines—the "public interest" becomes equated with the "ethnicity's interest," as set out and interpreted by particularly political representatives as well as by the desire to maintain peace and coexistence. Indeed, PSB development has frequently followed ethnic lines at the expressed insistence of Western donors and organizations. As some of Analitika's previous reports have stressed, media pluralism in such environments can actually lead to questionable developments and can work towards further entrenching or solidifying ethnic resentments and divisions—with some scholars even going so far as to advocate that the only way to combat such developments is to install stricter hate speech provisions as done in Kosovo.[18] In other words, the continuing ethnic divides in Bosnia and Herzegovina and some other states in the region can and have already provided the underlying societal conditions or opportunities for the politicization of the wider society and consequently the instability or manipulation of the public service broadcasting system.

Such an ethnically divided environment is considered extremely problematic in regards to the European future of the region, particularly in Bosnia and Herzegovina. For example, in 2010 the European Commission found "the overall implementation of reforms is insufficient and the domestic political climate during the pre-electoral period has been dominated by nationalistic rhetoric. The lack of a shared vision on the direction of the country is blocking key EU-related reforms and impeding further progress toward EU accession."[19] However, scholars have argued that this failure is, in fact, due to insufficient pressure from EU institutions concerning the overall implementation of reform, which provides the space and window of opportunity for domestic authorities to exert political pressure on the public service broadcasting.[20] Although most of the countries in the Western Balkans have formally conducted media reforms in accordance with the international standards (following EU recommendations), political interference is broadly suggested as representing a

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[18] Katrin Voltmer, "Building Media Systems in the Western Balkans: Lost between Models and Realities."
[19] "Key Findings of the 2010 Progress Report on Bosnia and Herzegovina" (European Commission, November 9, 2010), http://europa.eu/rapid/press-release_MEMO-10-557_en.htm.
[20] Amer Džihana, Kristina Ćendić, and Meliha Tahmaz, "Mapping Digital Media: Bosnia and Herzegovina" (Open Society Foundations, June 11, 2012)

persistent and considerable problem. This tendency may lead to the worsening of the media environment and especially the role of the public media unless the EU provides higher criteria as s part of the path to the potential EU membership of the countries from the Western Balkans.

Economic Transition and Hardship

The difficult economic transition these six country cases have experienced is another factor that shapes the politicization of the public media in the Western Balkans. In most cases the public media operates in a harsh and uncertain economic environment. The fragile political stability in the post-war societies has negatively affected the prospects for economic development, and consequently the potential for a pluralistic media environment as a result of consistent media policy. Contributing to this instability is the relatively small size of the media markets in the Western Balkans, molded over the years by the transitional economic situation in those countries, shifting borders, and limits on foreign investment and advertising revenue. This has inevitably resulted in the public media remaining vulnerable to political influence, given that PSBs often rely on government advertising or the state budget to meet their needs and obligations. Furthermore, this has slowed down the overall development of the media market, and provided the opening for certain individuals to concentrate ownership into a few hands. In addition, many experts emphasize the fuzzy ownership of media owing to the transition from communism to market economy and the vague transfer of property from the public to the private sector. Thus, in such small and highly fragmented media markets the independence of PSBs is significantly threatened and tenuous.

Three main characteristics define the scope of the term "fuzzy ownership": (i) the lack of transparent information about media ownership and interests; (ii) transition in the media sector to the benefit of private "investors"; and (iii) promotion of political and/or business interests via media content.[21] In this sense, Kosovo, Bosnia and Herzegovina and Macedonia are among the most telling examples for

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[21] Jan Zielonka and Paolo Mancini, "Executive Summary: A Media Map of Central and Eastern Europe" (Oxford: University of Oxford, 2011).

disseminating of political interests via media content (KIPRED 2008, Analitika reports 2011, 2012). In some cases (again Kosovo and Macedonia) scholars have observed how, due to the weak economy, reliance on potentially compromising sources of funds by PSBs has actually increased.[22] Montenegro, here, may be considered something of a positive example of a country trying to promote transparency of media ownership through the legal code (specifically through Electronic Media Law, Article 131). Yet despite existing legislation, the problem of "fuzzy ownership" is still considerable in Montenegro, since the scope of the law refers only to "electronic media."[23]

This economic instability makes funding PSBs in the region highly problematic, especially since PSBs are, in trying to meet their needs, either relying on the public budget (Kosovo, Montenegro, and Serbia since 2014), on license fee collection (Albania, Bosnia and Herzegovina, and Macedonia), or initiating special arrangements with marketing agencies owned by politically affiliated individuals who seek "special services" outside of public view (particularly in Serbia, and to a lesser extent in Bosnia and Herzegovina and elsewhere). However, such fundraising techniques have proven to be quite inefficient and threaten the PSBs' ability to operate without interference. On the one hand, money from the public budget makes PSBs dependent on political decisions regarding financial support that the state is willing to provide. And as a result, public media becomes directly subordinate to the government. On the other hand, however, license fee collection has generally proven to be an unreliable source of funding. In Serbia, for instance, more than half of the population refrained from paying such a fee in order to have access to public

[22] Tamara Dimitrijevska-Markoski and Zhidas Daskalovski, "Assisting Media Democratization after Low-Intensity Conflict: The Case of Macedonia," Working Paper Series on International Media Assistance in the Western Balkans, Working Paper 5/2013, Prepared in the Framework of the Regional Research Promotion Programme in the Western Balkans (RRPP) (Sarajevo/ Skopje: Analitika - Center for Social Research - Center for Research and Policy Making (CRPM), 2013); Shkamb Qavdarbasha, "State of the Media in Kosovo" (Prishtina: INDEP, 2012),
http://www.indep.info/documents/88076_INDEP%20-%20The%20State%20of%20Media%20in%20Kosovo.pdf.
[23] Daniela Brkić, "Media Integrity Report: Media Ownership and Financing in Montenegro: Weak Regulation Enforcement and Persistence of Media Control" (South East European Media Observatory, 2015),
http://mediaobservatory.net/sites/default/files/Media%20Ownership%20and%20Finances%20in%20Montenegro.pdf.

broadcasting—with the license fee finally being discontinued in 2014.[24] Effective and full collection has even proven to be an issue in Macedonia, where the license fee is aimed at providing less than 20% of the total revenue for public media.[25] Due to the inability to raise money by collecting this fee, the Macedonian public broadcaster has been forced to rely on the state budget, which provides almost 60% of its annual income. This vicious circle fuels a constant dependence on the state and harms the overall editorial freedom of the public media. In a similar vein to this is the reliance on special arrangements with advertisers or marketing agencies aligned with particular parties, not only because of the non-transparent nature of these deals, but also because such deals allow for the possibility of political manipulation, self-censorship, and the compromising of editorial integrity to avoid jeopardizing funding.

This is not to say that fees cannot work in the Western Balkans. In Kosovo the subscription fee collected between 2003 and 2009 was able to ensure the financial sustainability of the public media.[26] However, after amendments to Kosovo's media legislation in 2010, the country's public broadcaster (RTK) became fully dependent on the state budget, and consequently was plagued by political pressures. Although RTK managed to solve its funding issues between 2011 and 2014, it still remains highly vulnerable to political influence since the Assembly scrutinizes the PSB's budget every six months.[27]

Ensuing Implications

These issues and factors listed above have a strong impact on the quality of the overall journalistic output in the six country cases of the Western Balkans discussed here, and inevitably lead to deviations and distortions from the conceptual understanding about the role of the public media. In regards to the consequences of politicization, this study can highlight several crucial implications that arise and are

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[24] Jelena Surčulija, Biljana Pavlović, and Đurđa Jovanović Padejski, "Mapping Digital Media: Serbia" (Open Society Foundations, October 15, 2011).

[25] Roberto Belicanec and Kristina Ricliev, "Mapping Digital Media: Macedonia" (Open Society Foundations, June 5, 2012).

[26] Shkamb Qavdarbasha, "State of the Media in Kosovo."

[27] Id.

affecting PSB development in the Western Balkans: **political parallelism**, **lack of editorial independence**, and **concentration of media ownership.**

Political Parallelism

The most problematic of these three issues is political parallelism**,** or in other words, the existence of political interests (and often in the Western Balkans business interests) in media production and journalistic roles.[28] Throughout the Western Balkan mediascape there is substantial overlap between media, politics and business; sometimes even to the point where media owners or journalists also hold political office, as has been the case in Macedonia. There is no exception among the countries in the region where public service broadcasting is not influenced in some way by political parallelism. A particularly strong relationship has been observed between politicians and various public broadcasters in Bosnia and Herzegovina, Kosovo, and Macedonia. Kosovo's mediascape clearly indicates that individuals with both local business interests and political affiliations have simultaneously possessed media ties or maintain close connections to media owners.[29] And such ties exist at the highest levels—the Kosovar Prime Minister was even reprimanded by the European Broadcasting Union (EBU) in 2009 for improper and unacceptable political and financial influence on the media.[30] In addition, government attempts of interfering and control of the media have been identified by experts and international institutions, such as the forced closure in 2011 of the A1 TV channel in Macedonia.[31] Many analysts saw this incident as "a post-election crackdown against critical media" since A1 was associated with the political opposition. Similar a trend is not unknown in the other Western Balkan countries.

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[28] Irion, Kristina and Jusić, Tarik (2013) "International Assistance and Media Democra- tization in the Western Balkans: A Cross-National Comparison", Working Paper Series on International Media Assistance in the Western Balkans, Working Paper 1/2013, prepared in the framework of the Regional Research Promotion Programme in the Western Balkans (RRPP) (Sarajevo: Analitika – Center for Social Research).

[29] Shkamb Qavdarbasha, "State of the Media in Kosovo."

[30] Naser Miftari, "Starting from Scratch: The Role of Media Assistance in the Establishment of Independent Media Institutions in Kosovo," Working Paper Series on International Media Assistance in the Western Balkans/ Working Paper 4/2013, Prepared in the Framework of the Regional Research Promotion Programme in the Western Balkans (RRPP) (Sarajevo/ Prishtina: Analitika - Center for Social Research - D4D - Democracy for Development, 2013).

[31] Roberto Belicanec and Kristina Ricliev, "Mapping Digital Media: Macedonia" (Open Society Foundations, June 5, 2012).

Lack of Editorial Independence

Politicization of PSBs also leads to a lack of editorial independence, which shapes the content and causes self-censorship of journalistic output. As a consequence, there is a tendency of diminishing independence and decline in overall news quality (particularly in Bosnia and Herzegovina, Macedonia, Kosovo) throughout the 2010s. A telling example in the region is Albania where news bulletins on TVSH have been highly criticized by the opposition and civil society groups for being produced in favor of the government and lacking objectivity.[32] The claims of opposition refer to the lack of balance in the presented information and, respectively, open support to the government. Analitika's previous reports highlight that political partisanship and pressure on public broadcasting in the case of Albania, but not only in Albania, are particularly strong during election periods. However, the representatives of the public broadcaster have constantly attempted to deflate the claims of politicization of RTSH, arguing instead that the function of the public broadcaster is not limited only to news production. Despite this longstanding criticism, it is worth noting that there is no visible government repression towards the public media in Albania in comparison to the other countries in the region—the watchdog function of the media in Albania has actually been improving and led to rising positive public perception of the country's PSB, with the public media even seen as "the most trusted institution in fighting corruption."[33]

In addition, political pressure can also influence the behavior of regulatory agencies that are supposed to closely monitor media behavior. One of the first laws passed after the 2011 elections in Macedonia aimed to add new members to the Broadcasting Council (in charge for licensing and media regulation)—new members

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[32] Ilda Londo, "Mapping Digital Media: Albania" (Open Society Foundations, January 20, 2012); Mark Thompson, "Looking for Shortcuts? Assistance to – and Development of – Public Service Broadcasting in Bosnia-Herzegovina, Serbia, Kosovo, Macedonia, and Albania," Working Paper Series on International Media Assistance in the Western Balkans/ Working Paper 9/2013, Prepared in the Framework of the Regional Research Promotion Programme in the Western Balkans (RRPP) (Sarajevo: Analitika - Center for Social Research, 2013); And as Davor Marko noted in contributing comments to this paper, even in Croatia—an EU Member State since 2013—the complete management of the country's PSB, including editors, was removed following the November 2015 elections "and replaced with politically suitable personalities."

[33] "Republic of Albania: Local Government Elections 8 May 2011" (Warsaw: OSCE/ ODIHR, August 15, 2011), http://www.osce.org/odihr/81649?download=true.

who would be nominated by the Parliament rather than the civil society organizations that had nominated existing Board members.[34]

The existing research identifies political dependence as an explanation of why the regulatory agencies enforcement actions have been "lackluster in notable recent cases."[35] One important observation here is that the implementation of media regulation in many cases is hampered or controversial since political pressure on the media is increasing. The existing trade-off between editorial independence and the opportunity of the media to get financial support from one or another political party seriously harms the overall media environment. Moreover, when regulatory institutions are selective in their actions, they are not able to entirely prevent such practices.

Concentration of Media Ownership

Concentration of media ownership is another implication related, on the one hand, to the underdeveloped media market, and on the other hand, to the politicization of the public and private media. Since media ownership is concentrated in the hands of certain business circles or in the hands of a few people, it becomes easier for PSBs to come under the influence of economic elites with regime-ties or who are aligned with particularly political parties. Such an environment likely subverts and damages editorial independence, leads to self-censorship by editors or journalists, and could lead to a "nationalized" PSB that serves the interests of the ruling party, rather than the public.[36]

Analitika's May 2016 Conference

Analitika's May 2016 conference "The Future of Public Service Media in the Western Balkans: Never-Ending Transition?" sought to expand upon this literature, by not only bringing together many of the report and study authors cited above as well as other scholars and policymakers to provide an update on each of the six

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[34] Ilda Londo, "Mapping Digital Media: Albania" (Open Society Foundations, January 20, 2012).
[35] Amer Džihana, Kristina Ćendić, and Meliha Tahmaz, "Mapping Digital Media: Bosnia and Herzegovina" (Open Society Foundations, June 11, 2012).
[36] Radka Betcheva, "Future of PSM in Western Balkans" (Sarajevo, May 20, 2016).

country cases discussed here, but by also discussing and generating a number of findings and overall conclusions regarding where PSB development in the region is headed. Particularly important were the lessons learned and issues raised during this conference's concluding session given by Dr. Manuel Puppis, Professor at the University of Fribourg.[37] These findings and conclusions included or coalesced around the following:

1. A debate arose during the conference between two dichotomous views of the future of PSB development in the region, which Puppis labeled as (i) an idealistic and (ii) a fatalistic conception of the role and development of PSBs in the Balkans. Under the fatalistic view, scholars (and perhaps even policymakers) would argue for the complete scrapping of the PSB concept in the Balkans—given that they question whether a PSB is even needed at all, especially if it comes under such abuse and manipulation and simply becomes a tool for money laundering and political propaganda rather than representing a public good. Tied to this view is that technology seems to be outpacing reform and changing the medium entirely, to the point where funding television and radio seems increasingly dated and potentially straining or draining on national budgets and resources. On the other hand, those within the idealistic camp see such talk as defeatist, and believe that staying the course is the path to take, with the PSB a true public good that needs to be supported and preserved in the region;

2. Puppis presented a kind of middle ground, which he labeled the "realistic" view, which tries to keep in mind that the transition takes time, while also acknowledging the limitations of the Western Balkan media markets and rapidly changing media platforms, which will require media companies to produce high-quality content that people actually want to consume and are willing to consume, given audience habits are constantly shifting to new platforms and applications;

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[37] Dr. Manuel Puppis, "The Future of PSM in the Western Balkans - Lessons Learned?" (Sarajevo, May 20, 2016).

3. This realistic view raises questions and issues pertaining to the paternalistic undertones of public service broadcasting - who actually decides what the public needs? Linked to this was the idea that public broadcasting represents more than just content but a relationship with society, a relationship that can be subject to change. In working towards solidifying and improving that relationship, Puppis suggested that media reform movements needed to be created from within the society, rather than waiting for it to come from Brussels, Washington or elsewhere. Western Balkan publics, civil society groups and political elites need to understand the significance of this relationship and actually engage with PSBs, otherwise PSB reform and the PSB concept are virtually doomed to fail. Moreover, simply developing and having a PSB for the sake of EU membership is not creating a worthwhile or functional public good. As Radka Betcheva of the EBU suggested through her presentation regarding possible scenarios for PSB development in the region,[38] elite understanding and interest in PSB development is critical to whether these broadcasters become somehow (i) marginalized, (ii) "nationalized" (representing a scenario in which there is complete capture by the elites and the turning of the PSB into a regime mouthpiece), or deinstitutionalized completely. And even in the fourth (and most positive scenario) outcome of "transforming" the PSB through external and internal pressure to democratize, a major negative consequence was that regime elites will begin defunding the PSB given that they will come to believe that their interests are no longer served and their influence is constrained by PSBs. Elite understanding of the role and function of PSBs, and influencing that understanding, are therefore critical for PSBs' long-term survival;

4. The topic of funding models was also addressed, given that it remains one of the major obstacles in the development of PSBs in the region. Puppis proposed that the conference discussion clearly revealed that research must be focused on finding models that work in terms of both sustainability and

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[38] Radka Betcheva, "Future of PSM in Western Balkans" (Sarajevo, May 20, 2016).

retention of editorial independence. The conclusion here was that simply transplanting funding models into the Balkans was the wrong approach, and rather that an appropriate funding model still needed to be found and adapted to fit local conditions and contexts. For example, this could require that the policy focus shift away from a solely public option toward a market-based/commercial alternative to a single PSB, given the size of the media markets in the Balkans. PSB development in the Western Balkans may therefore require a wholesale rethinking of what a PSB is, at least in terms of funding;

5. Puppis also argued that if particular actors have already resigned themselves to a certain outlook or perspective on the role of PSBs in the region—both those actors within or outside the region—then these actors and their ideas need to be taken into account and engaged with by both scholars and policymakers. This seemed especially important given that some scholars in attendance suggested that many of the issues under discussion were simply intractable. Most significantly, Puppis concluded his presentation by acknowledging that more engagement with European and Western Balkan policymakers was needed, not only by scholars, but also by civil society, media, and publics. A major takeaway from the conference was that policymakers in the Western Balkans lack substantive knowledge of PSBs, the needs of the media system, and role of the PSB in the new media landscape. And if they do take an interest in PSB development, it is because they have become incentivized to abuse it for their own needs. Such attitudes can only be overcome with discussion, knowledge transfer, and pressure, which must come from within, but can certainly be supported from outside by well-designed policies, guidance and technical assistance from international actors, including the EC, that can truly work toward altering elite attitudes.

The European Commission on Reforming Public Service Broadcasting in the Western Balkans

Given the situation on the ground and the kinds of conclusions that came out of Analitika's May 2016 conference, the focus of this study turns to determining whether the EC acknowledges these same issues and has made suggestions to the candidate and potential candidate countries in the Western Balkans with regards to working towards de-politicization of PSBs. It is clear that the EC maintains leverage over these countries' democratic transitions and can work towards creating or supporting the underlying conditions necessary for developing sustainable PSBs in the region through financial, political and even social ties and pressure on Western Balkan policymakers. Not only can the EC name and shame elites through public statements and reports, but it also can withhold funding if it feels that progress is not being met. The question is in identifying which particular instruments the EC has at its disposal for working towards both combatting the underlying causes of and the symptoms of politicization of PSBs in the Western Balkans, and whether these instruments are "correctly," in terms of how the latest scholarship discusses and frames these issues, addressing and working towards de-politicization of PSBs in the region.

What should be clear is that the EU, specifically through the EC, does have a number of existing instruments at its disposal to influence PSB development, including: (1) IPA II, which currently provides financial and technical assistance to all six Western Balkan countries; [39] (2) the sponsoring of conferences, such as the SpeakUp! conference series that ran between 2011 and 2015, to highlight media reform and media freedom issues in the region; and (3) the publishing of annual progress reports that should address the development of PSBs in the candidate or potential candidate countries. While these are not necessarily the only tools or

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[39] This is the second iteration of the Instrument for Pre-accession Assistance, set for the period 2014-2020: http://ec.europa.eu/enlargement/instruments/overview/index_en.htm

instruments available, they do represent either the formal instruments described by the Commission, or in the case of the SpeakUp! conferences, a well-publicized initiative made at the behest of the EC on media issues in the Western Balkans. Although each of these instruments should be considered and explored, this study focuses on the progress reports issued as part of the EC's "Enlargement package," given that these materials not only outline exactly how the EC discusses the issue of PSB development in each of the six Western Balkan candidate countries, but also constitute a kind of roadmap and report card for regional elites. And more specifically, the study analyzes those reports published between 2011 and 2015, the latest available, which provide an opportunity to judge whether Juncker's 2014 announcement on the hiatus on further enlargement also represented a turning point in how the EC reflected or dealt with PSB development through these reports.[40]

EU Progress Reports 2011-2015

An important benchmark for understanding what the EU has done to date regarding the development of PSBs in the Western Balkans are the statements and recommendations made in the EC's annual progress assessments of each candidate or potential candidate country as part of its so-called "Enlargement package." According to the EC's website, these reports set out what each of Analitika's Western Balkan country cases have "achieved over the last year, and define guidelines on reform priorities."[41]

In reviewing these reports for the six country cases under consideration here for the past five years, it becomes clear that the EC is increasingly aware of the challenges PSBs in the Western Balkans face. A short assessment of the current situation of PSBs can be found in all of the progress reports, but the focus and depth of analysis vary by country and over time. Generally, however, the 2015 progress reports—published after the EC's 2014 announcement of an enlargement hiatus— are more explicit in outlining the achievements, key challenges and steps forward for

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[40] These strategy papers and annual progress assessments can all be accessed from the EC's website: http://ec.europa.eu/enlargement/countries/package/index_en.htm
[41] "European Neighbourhood Policy and Enlargement Negotiations - Strategy and Reports," European Commission, November 11, 2015, http://ec.europa.eu/enlargement/countries/package/index_en.htm

all six countries than previous reports. This would therefore suggest that the EC is at the least reformulating its approach, rather than putting PSB development on the backburner. PSBs, in fact, are something of a crosscutting issue that are referred to throughout these progress reports, and represent a particular concern within the political criteria for accession where the *freedom of expression* narrative plays a crucial role in the assessment of *human rights and the protection of minorities*. Additionally, PSBs have to be considered when talking about *Information Society and Media*, an area where all six countries are indicated as needing to catch up in order to be able to assume the obligations of membership.

Below, the study presents the main trends in the EC's reporting on PSB development in the six country cases between 2011 and 2015. Furthermore, the study highlights which shortcomings in PSB development exist in each country that the EC has identified, and, based on this analysis and the findings of the literature review and Analitika's May 2016 conference, provide a number of recommendations as to how these progress reports could be better implemented in working towards the de-politicization of PSBs in the region.

Relatively little emphasis has been put on public service broadcasting in the case of **Albania**. Initial problems included political influence in the daily operations of the Albanian PSB RTSH and underlying economic problems, with the lack of editorial independence and the inefficiencies of the fee collection system representing the two major concerns of the EC between 2011 and 2014. As of 2015 the EC reported some progress in terms of the fee collection system, the regulation of RTSH in line with EU standards, and independent financing. In respect to shortcomings the EC's latest report is primarily concerned with the enforcement of legislation already set in place.

In the case of **Bosnia and Herzegovina** the EC's understanding of the complex reality of the country's fragmented media system appears to have improved. Starting from 2013, the EC reports name the main problem facing PSB in Bosnia and Herzegovina: the duality of the PSB system that operates along ethnic lines, combined with classical problems such as political interference that are coupled with insecure and politically captured funding. By 2013 the EC was also calling for a "stable, legally

viable source of PSB public funding" based on tax collection. Moreover, the 2015 report acknowledges a general backsliding in the area of media freedom as well as the complexity of legal harmonization between the three PSBs at the state level.

Initially the inability of the PSB in **Macedonia** to fulfill its statutory role was the main issue identified by the EC. In terms of funding, the EC actually recognized in its reports between 2011 and 2014 a positive trend over the years that the EC wished for Macedonia to continue pursuing. However, the EC registered in recent years that there has been a massive backslide with regards to media independence. Besides a general decline of freedom of expression, the EC has recently identified as issues related to PSBs in the country: strong political interference, financing dependent on the government, government advertising, and low editorial independence. In its 2015 report the EC urges that Macedonia takes immediate action in securing the independence of the country's PSB.

The media market in **Kosovo** remains very small and thus the EC has mainly highlighted the need for independence internally, but also from media outlets in Serbia in the past. The EC had positively recognized the law on financing PSB in 2012, but was critical of the fact that state funding remains given that it is seen as jeopardizing editorial independence. In 2015, the EC still saw no progress or solution on the sustainable funding issue, as well as with regards to legal certainty on media ownership and transparency. These topics had still not been codified into the national legislation, leaving Kosovo's PSB vulnerable to political pressure and influence.

While the EC identifies a lack of professionalism and financial unsustainability as the main issues facing **Montenegro**, the EC appears to regard the development of the country's PSB as moderately advanced overall. However, the EC has not indicated any substantial progress in its most recent reports. A law on public broadcasting services has still not been adopted as of 2015, and in the meanwhile financial sustainability and editorial independence were not perceived as having improved.

In **Serbia** a media strategy was passed in 2011 and a respective Law on Public Service Broadcasting was adopted in August 2014, both of which helped to further align Serbia's legislation with EU provisions on PSBs. However, as the EC's 2015 progress report notes, the implementation and consequent enforcement of this

legislation remains outstanding and must be followed through upon by the government. This would also help to tackle shortcomings in terms of funding and political influence that the EC has generally marked since 2011 as issues to be overcome.

The table below summarizes the main shortcomings and recommendations for PSB in each of the six country cases, based on the EC's latest progress reports:

Country	Shortcomings relevant to PSB development	Recommendations
Albania	- Implementation of legislation/institutions - Still pending election of Steering Council - Transparency of economic factors	- Enhance transparency of government advertising - Enforcement of existing legislation to ensure equality before the law - Strengthen the independence of the regulatory authority and the public broadcaster
BiH	- Political influence and political appointments in all three PSBs - Funding from municipal and canton budgets - Advertising by political parties	- Securing de-politicization - Ensuring financial and institutional stability - Addressing editorial independence - Harmonising relevant legislation on entity and state level
Kosovo	- No legislation on media ownership and transparency - No sustainable funding - Political pressure and influence	- Sustainable finance solutions - Transparent information on media ownership - Independence of PSB
Macedonia	- Decline of freedom of expression - High rates of political interference - Financing dependent on the government - Share of government advertising for budget	- Ensure full transparency of government advertising - Develop a mechanism for unpaid public service announcements - Ensure objective and accurate reporting through PSB

	- Low editorial independence	- Strengthen independence and capacity of PSB
Montenegro	- PSB law on more financial independence and sustainability not yet adopted	- Adopt law on PSB - Ensure PSB independence, especially editorial independence - Appropriate financial resources
Serbia	- Media laws in place, but not enforced - Funding by direct budget subsidies, unregulated funding - Open political and economic influence - No broadcasting in minority languages	- Consequent implementation and enforcement of media law - Privatising state- and municipally owned media - Ensure adequate funding - Ensure editorial independence

A Discussion: Coupling Analitika Findings and Conclusions with the EC's Enlargement Package Reports

Given the above literature review and the overview of recent EC progress reports, this study can now assess (i) whether the EC is recognizant of the issues identified in the scholarly literature and within Analitika's projects and (ii) how the EC's reporting can be better implemented and utilized in keeping PSB development in the Western Balkans on track:

1. Even though Jean-Claude Juncker, President of the European Commission, stated that there would be no further EU enlargement before 2020, the most recent EC progress reports appear to have gathered a renewed vigor and even momentum on the issue of PSB development. These reports are now more concise and clearly identify developments, shortcomings and EU demands, which could improve their accessibility, utility, and ability to be consumed by both interested parties and policymakers in the region—all of which is in line with expert opinions on the topic;

2. By and large the EC appears well aware of the effects of politicization, especially in terms of the unsustainability of funding, concentration of media ownership and lack of editorial independence. At the same time, however, it seems, based on the above review of the EC's reports between 2011 and 2015, that the Commission is merely fighting the symptoms of politicization, rather than the underlying causes or the incentives for regulatory capture;

3. It was clear from the conference findings that funding remains an outstanding issue in the region, given that a successful and sustainable funding model that does not degrade content or editorial independence is lacking. While the EU already recognizes this and that simply providing more external funding is not a sustainable solution, a general vision for a feasible model or models that could positively steer PSB development for the six Western Balkan candidates is still missing; and

4. In general the EC highlights which problems need to be addressed, but besides general recommendations does not mention any concrete measures that need to be undertaken in order to solve these problems. This may also lie in the nature of the progress reports. Though there are potentially other tools or mechanisms that may be able to provide these concrete measures, they only function as a type of roadmap and report card of what has been done and what still needs to be achieved in accordance with the EU's criteria. Other actors or organizations cannot fill in this particular gap, and more clarity, certainty, and advocacy needs to come from the EC. Hereby, the EC needs to acknowledge that background and development of PSBs in the Western Balkans are quite different from those in the core Member States. Therefore, EU bodies have to reconsider possible steps, policies and measures that take into account the circumstances and context in the Western Balkans, and these must be made more transparent and accessible, particularly if Western Balkan elites are to understand what is required or expected of them in terms of PSB reform.

Recommendations

The EC seems to recognize the serious issues facing PSBs in the Western Balkans and has intensified its discussion of these issues in its most recent progress reports. Given the findings above, this study can provide some suggestions by linking the analysis and the findings of Analitika's May 2016 conference, in working towards improving the EC's Enlargement package progress reporting:

1. For those countries, like Albania, where PSB or media issues are not presented in great detail in EC progress reports, an effort needs to be made to identify problem areas—putting them on the map and beginning an open discussion that the media situation in such places will not be forgotten or displaced by other concerns;

2. Interested parties should be made aware that the EC has sharpened its focus and demands in terms of PSB development; these more vigorous statements from the EC could and should be picked up on by civil society and other actors or stakeholders, including other international organizations or donors, in a renewed push for pressuring Western Balkan elites on the continued need for reform in working towards the development of a functioning and independent PSB consistent with the requirements and "spirit of the law" for EU membership, as well as for creating a more open and free media environment, which many experts at the Analitika conference considered a basic requirement or element in the region's democratic transition;

3. Linked to this, interested parties should signal to the EC/ EU that further discussion is needed on the issue of PSB reform, which could involve the organization of new conferences to connect civil society actors, Western Balkan policy makers and EU representatives to create and build understanding, to share information and expertise, to engage both European and Western Balkan policymakers, and to provide incentives for change on the behalf of Western Balkan elites who view PSBs as something either to capture for their own gain or as a waste of resources; such conferences are needed to

identify and apply lessons learned from previous enlargements as well as to identify and share concrete policy options that the six country cases in the Western Balkans discussed here can study, adapt and implement in working towards membership, especially with concern to funding. Such initiatives, along with the progress reports, however, need to be cognizant of the path dependencies and contexts of each candidate or potential candidate, and that current scholarship suggests the funding models available are inadequate and not able to fulfill the needs of these small Balkan media markets. By incorporating both international and regional scholars into this discussion then, a checkbox approach could potentially be avoided, and more individually suitable policy options could be found that avoid the window-dressing seen during previous enlargements;

4. Finding practical and worthwhile funding models should be made a priority for candidate countries, given that it represents an overarching concern that influences so many of the other issues in play regarding politicization of PSBs. Setting this out in the progress reports as a benchmark issue on the road towards EU membership could signal to Western Balkan policymakers this is something to put resources into, rather than waiting for the EC or some other outside actor to simply devise or transplant a model lacking an understanding of local needs and circumstances. Through the progress reports and further statements, the EC could initiate conferences, like those already mentioned above, that could not only function as a suitable arena for Western Balkan policymakers to comply with this requirement, but also the opportunity to support and develop ideas and share research on best practices and potential ways forward;

5. While more concise and better-oriented reports, as the 2015 EC reporting represents, are already an improvement and step in the right direction, these materials must also be disseminated and consumed by policymakers and decisionmakers in the region to actually affect change, given that a major conclusion of the conference was that local elites were disconnected from the topic. With this in mind, the EC should ensure that these reports are actually

being read, understood and internalized by Balkan political elites and bureaucracies. While this could be achieved by incorporating these reports into some type of existing meeting or conference structure, it could also be potentially linked to funding considerations, by asking agencies or specific elites to produce a 'response' report that would set out the timeframe and policies they believe will get them to meet the issues that the EC has stated need to be addressed in its latest annual progress report. Not only would this response format provide an avenue by which problem areas could be better identified and kept in the spotlight, but also allow for questions to be raised and discussed between European and Western Balkan elites and agencies. This would hopefully help to dispel any misunderstandings and help keep regional elites "in the loop," not only on the topic of PSB development and what the EC expects, but also on all other topics that must be dealt with on the path towards EU membership.

Works Cited

"Baseline Assessment of the "Guidelines of EU Support to Media Freedom and Media Integrity in the Enlargement Countries 2014-20." Brussels, November 3, 2015. https://www.eiseverywhere.com/file_uploads/b8b1646a37b311c353f1c1e99d33a381_Specialevent-Speak-Up3powerpoint2.11.pdf.

Belicanec, Roberto, and Kristina Ricliev. "Mapping Digital Media: Macedonia." Open Society Foundations, June 5, 2012.

Betcheva, Radka. "Future of PSM in Western Balkans." Sarajevo, May 20, 2016.

Börzel, Tanja A. "When Europe Hits ... beyond Its Borders: Europeanization and the near Abroad." *Comparative European Politics* 9, no. 4/5 (2011): 394–413.

Brkić, Daniela. "Media Integrity Report: Media Ownership and Financing in Montenegro: Weak Regulation Enforcement and Persistence of Media Control." South East European Media Observatory, 2015. http://mediaobservatory.net/sites/default/files/Media%20Ownership%20and%20Finances%20in%20Montenegro.pdf.

"DG Enlargement: Guidelines for EU Support to Media Freedom and Media Integrity in Enlargement Countries, 2014-2020." European Commission, February 21, 2014. http://ec.europa.eu/enlargement/pdf/press_corner/elarg-guidelines-for-media-freedom-and-integrity_210214.pdf.

Dimitrijevska-Markoski, Tamara, and Zhidas Daskalovski. "Assisting Media Democratization after Low-Intensity Conflict: The Case of Macedonia." Working Paper Series on International Media Assistance in the Western Balkans, Working Paper 5/2013, Prepared in the Framework of the Regional Research Promotion Programme in the Western Balkans (RRPP). Sarajevo/ Skopje: Analitika - Center for Social Research - Center for Research and Policy Making (CRPM), 2013.

Džihana, Amer, Kristina Ćendić, and Meliha Tahmaz. "Mapping Digital Media: Bosnia and Herzegovina." Open Society Foundations, June 11, 2012.

"EU Enlargement Strategy." Brussels: European Commission, November 10, 2015. http://ec.europa.eu/enlargement/pdf/key_documents/2015/20151110_strategy_paper_en.pdf.

"European Neighbourhood Policy and Enlargement Negotiations - Freedom of Expression and Media." *European Commission*, October 27, 2015. http://ec.europa.eu/enlargement/policy/policy-highlights/media-freedom/index_en.htm.

"European Neighbourhood Policy and Enlargement Negotiations - Strategy and Reports." *European Commission*, November 11, 2015. http://ec.europa.eu/enlargement/countries/package/index_en.htm.

"Freedom of the Press 2016." Washington, D.C.: Freedom House, April 2016. https://freedomhouse.org/sites/default/files/FH_FTOP_2016Report_Final_04232016.pdf.

Irion, Kristina, and (Tarik. "International Assistance and Media Democratization in the Western Balkans: A Cross-National Comparison." Working Paper Series on International Media Assistance in the Western Balkans, Working Paper 1/2013, Prepared in the Framework of the Regional Research Promotion Programme in the Western Balkans (RRPP). Sarajevo: Analitika - Center for Social Research, 2013.

Jakubowicz, Karol. "Public Service Broadcasting: Product (and Victim?) of Public Policy." In *The Handbook of Global Media and Communication Policy*, 210–229. Wiley-Blackwell, 2011.

Juncker, Jean-Claude. "A New Start for Europe: My Agenda for Jobs, Growth, Fairness and Democratic Change." Stasbourg: European Commission, July 15, 2014. https://ec.europa.eu/priorities/sites/beta-political/files/juncker-political-guidelines_en.pdf.

"Key Findings of the 2010 Progress Report on Bosnia and Herzegovina." European Commission, November 9, 2010. http://europa.eu/rapid/press-release_MEMO-10-557_en.htm.

Levitsky, Steven, and Lucan Way. *Competitive Authoritarianism: Hybrid Regimes after the Cold War*. Problems of International Politics. New York: Cambridge University Press, 2010.

Londo, Ilda. "Mapping Digital Media: Albania." Open Society Foundations, January 20, 2012.

Marko, Davor. "Citizenship in Media Discourse in Bosnia and Herzegovina, Croatia, Montenegro, and Serbia." CITSEE Working Paper Series. Edinburgh, Scotland, UK: University of Edinburgh, 2012. http://www.citsee.ed.ac.uk/__data/assets/pdf_file/0007/108916/380_citizenshipinmediadiscourseinbosniaandherzegovinacroatiamontenegroandserbia.pdf.

Miftari, Naser. "Starting from Scratch: The Role of Media Assistance in the Establishment of Independent Media Institutions in Kosovo." Working Paper Series on International Media Assistance in the Western Balkans/ Working Paper 4/2013, Prepared in the Framework of the Regional Research Promotion Programme in the Western Balkans (RRPP). Sarajevo/ Prishtina: Analitika - Center for Social Research - D4D - Democracy for Development, 2013.

"Overview - Instrument for Pre-Accession Assistance." *European Commission*, February 24, 2016. http://ec.europa.eu/enlargement/instruments/overview/index_en.htm.

Puppis, Dr. Manuel. "The Future of PSM in the Western Balkans - Lessons Learned?" Sarajevo, May 20, 2016.

Qavdarbasha, Shkamb. "State of the Media in Kosovo." Prishtina: INDEP, 2012. http://www.indep.info/documents/88076_INDEP%20-%20The%20State%20of%20Media%20in%20Kosovo.pdf.

"Republic of Albania: Local Government Elections 8 May 2011." Warsaw: OSCE/ ODIHR, August 15, 2011. http://www.osce.org/odihr/81649?download=true.

Schimmelfennig, Frank, and Hanno Scholtz. "EU Democracy Promotion in the European Neighbourhood Political Conditionality, Economic Development and Transnational Exchange." *European Union Politics* 9, no. 2 (June 1, 2008): 187–215.

———. "Legacies and Leverage: EU Political Conditionality and Democracy Promotion in Historical Perspective." *Europe-Asia Studies* 62, no. 3 (May 2010): 443–60.

"Speak-up!2. Conclusions." European Commission, 2013. http://ec.europa.eu/enlargement/pdf/speak_up_2/20130801_speakup-conclusions.pdf.

Surčulija, Jelena, Biljana Pavlović, and Đurđa Jovanović Padejski. "Mapping Digital Media: Serbia." Open Society Foundations, October 15, 2011.

Thompson, Mark. "Looking for Shortcuts? Assistance to – and Development of – Public Service Broadcasting in Bosnia-Herzegovina, Serbia, Kosovo, Macedonia, and Albania." Working Paper Series on International Media Assistance in the Western Balkans/ Working Paper 9/2013, Prepared in the Framework of the Regional Research Promotion Programme in the Western Balkans (RRPP). Sarajevo: Analitika - Center for Social Research, 2013.

Voltmer, Katrin. "Building Media Systems in the Western Balkans: Lost between Models and Realities." Working Paper Series on International Media Assistance in the Western Balkans/ Working Paper 10/2013, Prepared in the Framework of the Regional Research Promotion Programme in the Western Balkans (RRPP). Sarajevo: Analitika - Center for Social Research, 2013.

"Western Balkans and Turkey Media and Freedom of Expression Fact-Finding and Scoping Study." Particip, April 2013. http://ec.europa.eu/enlargement/pdf/key_documents/2013/wbt_media_study.pdf.

Zielonka, Jan, and Paolo Mancini. "Executive Summary: A Media Map of Central and Eastern Europe." Oxford: University of Oxford, 2011.