

3. Experience and Lessons learned?

Case studies.

a) Slovenia

History of independent journalism and media in Slovenia, the most north-western and in many aspects most westernized part of the former Yugoslavia goes back to the late 80s. Especially the youth paper “Mladina” got famous for its critical thinking and writing, but also the daily “Delo” developed soon towards an independent, western-style newspaper of high quality. The development however was soon part of the political struggle for independence, as the anti-Belgrade position won ground.

Beside a broad range of print media, the country also got a rich landscape of electronic media – at least as far as quantity is concerned. The best overview on the media developments in Slovenia is provided by Jana Urbas, media law expert at the Institute for Media Law in Ljubljana, for Media Online. She states:

“At the time when it got independence, Slovenia had, in addition to eight radio programs produced by the national RTV, also 17 local radio programs and two student radios (Radio Student and Radio MARS). (...) Situation in 2000: the public institution RTV Slovenia – Radio Slovenia broadcasts three national programs, three regional programs and two programs for ethnic groups (in Italian and Hungarian). Also, 22 local non-commercial radio programs and 46 commercial radio programs operate in 2000. One of them, Radio Ognjiste (religious radio) covers 80 percent of the population. (...) According to RS Broadcasting Council data (first half of 2000), there are more than 40 television programs in Slovenia. Some operate solely within local cable systems for which they do not need a license. Two national television programs and one regional program in a language of one of the minorities (TV Koper – Capodistria) are broadcast by the Public Institution RTV Slovenia. Three commercial television programs (POP TV, Kanal A and TV 3), by their coverage of the population (80 percent) are considered ‘national’. Nine TV programs have the status of local non-commercial programs.”¹

The former state TV RTV Slovenia today still employs some 2000 people and is still considered not free of state influence. RTV Slovenia was attributed the status of public institution by a law passed in 1994. The law stipulated co-financing from the state budget for the following: programming for minorities, programming for the foreign public, maintenance and operation of the broadcasting network and expansion of RTV Slovenia programming and local non-commercial programming as well as specific projects of cultural, scientific and general education significance proposed by relevant ministries. RTV Slovenia with a budget of some 25 million US\$ per year covers 70% of its expenses from taxes and 20% from advertisement. The missing 10%, some 2.5 million US\$ per year, has to be covered from the state budget. The total debts were estimated by the year 2000 up to 65 million Euro. The fact that about one third of media in Slovenia

¹ Jana Urbas & Lenart Šetinc, Special Report: Slovenia - Media Legislation.
http://217.75.196.2/mediaonline/tekst_eng/1327.htm

receive funding from state budget as well as the fact that these media are to a large part still run by the same people as before the political changes, is according to Pazmandi / Altmann an evidence for how close the media are to the state.²

The hard debates about a new media law, finally approved in spring 2001, also brought the Slovene government sharp critics from experts of the Council of Europe due to the strong hand the state keeps into the media. But also in Slovenia the reactions were harsh, as mainly the private media see the funding for RTV Slovenia and the right of this public broadcaster to wide commercial activities as a distortion of the market and a direct threat to their only source of income.

A new debate started in spring 2002 with the adoption of a law on salaries in the public sector, passed in early May. Journalists at Radio and Television Slovenia are put under this law, as they are perceived as public workers. Gojko Bervar, journalist at Radio Slovenia, comments:

“However, until now the national broadcaster did not directly depend on the budget, but rather the money was collected in a separate state treasury, which was filled automatically. Dependence on the state existed in only one point – the government confirmed license fee raises, which was decided by a special body – RTV Slovenia Council. The law on Salaries in the Public Sector has now indirectly given the government greater influence on the way this money is distributed.”³

He concludes that

“the point of the law is to put the public sector under control. (...) Working conditions, which imply independence, autonomy and defense of these basic postulates, are unbreakably tied to material conditions – including salaries, because the easiest way to put pressure on journalism as a whole is through working conditions.”⁴

b) Croatia

At the first multiparty elections in Croatia were held in spring 1990 and won by the Hrvatska Demokratska Zajednica HDS (Croatian Democratic Community) and its president Franjo Tudjman. The party led the country to independence and held power till the January 2000 elections. HDZ won the elections with the promise not only of independence, but also of freedom and democracy. Unfortunately the promise soon proved to be meant for regime-loyal Croats only, while people and media expressing a different point of view came under pressure of the new powerholders. Especially the Serb population in Croatia came under attack. President Tudjman is quoted and commented by Mark Thompson:

“Party leader Franjo Tudjman was openly chauvinist, as when he denounced the alleged over-representation of Serbs at the helm of Croatian media: ‘Look at who the editors of radio,

² Pazmandi, Suzsanne / Franz-Lothar Altmann, Slowenien. In: Den Wandel gestalten – Strategien der Transformation, Bd. 2, here quoted in: Grothky, Johannes, Die slowenischen Medien – zehn Jahre nach der Unabhängigkeit des Landes; in: Südosteuropa Mitteilungen No. 4/2001

³ Bervar, Gojko, Instruments of Power – who is the Law on Salaries in the Public Sector good for? Media Online, May 28, 2002 http://217.75.196.2/mediaupite/clanak_print.html?sifra=6010

⁴ *ibid.*

television and the newspapers are ... [We cannot] agree with there being six and a half Serbs among the seven chief editors on television.' After its victory, HDZ soon showed its determination to exert control over the most influential mass media. The prime target was the national broadcaster, RTV Zagreb, soon renamed as HRT, *Hrvatska radio-televizija*, Croatian Radio Television. National and regional newspapers were also taken over."⁵

The United Nations Protection Force in Croatia (UNPROFOR) paid as little attention to the media as the whole International Community did. The mission had no mandate for media-development at all. Political attention was focused on human rights violations and on neighbouring countries. But UNPROFOR faced very soon a harsh media environment. In his 1994 September report to the Security Council, UN Secretary-General wrote:

"In its first two years of operation UNPROFOR, like other United Nations peace-keeping operations, has become acutely conscious of the lack of objective and accurate information in the mission area as well as of the harmful consequences of propaganda and disinformation about its role."⁶

Therefore the UNPROFOR got more involved in media affairs, mainly setting up its own media program to provide accurate information. But while UN managed to get its programs to the audience in other countries through the national broadcasters, Croatia refused to do so. No regular arrangements could be reached with state networks here.

Thompson states and quotes again UN-SG:

"Even when arrangements for regular broadcasting were reached with Croatian state radio, UNPROFOR's programmes were repeatedly censored before transmission. (...) The Secretary-General argued that the mission lacked 'an independent means of reaching mass audiences on a daily basis without restriction ... Accordingly, UNPROFOR plans to establish an independent UNPROFOR radio station which would give three-quarters of the population of the mission-area unhindered access to impartial, factual and timely information, thereby increasing public understanding and support for UNPROFOR's peace-making efforts'."⁷

The UN-SC endorsed a multi-million dollar project for a radio station, radio and TV production expanded, audio and video tapes were distributed to stations around the mission area, but only a handful of stations in Croatia would air UNPROFOR programmes, according to Thompson "often between midnight and dawn". Only by the beginning of 1995 the co-operation started improving with some 30 stations broadcasting one hour weekly and further 60 stations using excerpts.

Croatian Radio and Television HRT was all the years over under strict control by the government and played an important role for the ruling party. HRT broadcasts three national radio programmes as well as eight regional programmes in the areas of the major towns Zagreb, Zadar, Dubrovnik, Split, Rijeka, Pula, Osijek and Knin. A research conducted by the agency Barometar in February 1998 showed that "the ratings of all the programmes of the Croatian Radio is very low and that it suffers from the competitive

⁵ Thompson, Mark, *International Assistance to Media. A Report to the OSCE Representative of Freedom of the Media*, Vienna 2000, #23. On Croatia: <http://archiv.medienhilfe.ch/Reports/osce/osce2000d.htm>

⁶ quoted by Thompson, #30

⁷ Thompson, #32

offer of the rival local radio stations”.⁸ The research states further about the radio landscape of 119 stations around the country: “About 65% of the local radio stations are privately owned; 30% are owned by local self-governance and administration bodies, while about 5% of them are in mixed ownership.”

The Croatian state television HTV broadcasts three programmes. HTV also controls the network of transmitters, available all over the country only for its own programmes. Due to this monopoly on nation-wide coverage, none of the existing local TV stations could ever endanger the dominance of the state TV, despite a programming often more professional than the big state TV. Malovic/Vilovic state in a research on the “Media landscape of Croatia”:

“The technological shortcomings and a small number of journalists working in the regional and city TV houses set aside, the foreign media observers who followed the local TV programmes in Croatia are of opinion that the broadcasts of the ‘small TV houses’ are frequently more professionally made than the broadcasts of the ‘big HRT (Croatian RTV)’.”⁹

HTV was and still is considered the most powerful state instrument. It was abused by the government and the ruling party since the independence of the country. When in May 1995 Croatia recaptured Serb held Western Slavonia, one of the four “UN Protected Areas” (UNPAs), HTV prime-time news bulletin reported on Defence Minister Gojko Susak’s visit:

“Standing in front of an empty UN position, Susak accused the UN of having built fortifications for Serb forces in this area, and of ‘defending them together’ against Croatian forces on 1 and 2 May. A graver charge would have been difficult to lay; yet no evidence was presented.”¹⁰

Thompson sums up the experience and failures of UNPROFOR’s mission dealing with this unfriendly media environment:

“In Croatia, the conventional approach to public information ran up against difficulties that proved insuperable. In practical terms, UNPROFOR lacked a secure means of distribution; it could not ensure that its media products reached a wide audience. If it was mistaken to believe that the local authorities could be side-stepped without provoking determined resistance, it was unwise to develop production without ensuring distribution. The mission seemed to assume that the Croatian authorities would assist the UN to reach a wide audience. When on the contrary the authorities obstructed the Division of Information, the mission persisted with futile negotiations rather than mobilising significant pressure upon the Croatian authorities to live up to their commitments as the mission’s hosts. The will of the authorities to deny a wide audience to the UN was much greater than the will of the UN to reach that audience. Information policy was simply not accorded a high enough priority by the United Nations at any level. As a result, the mission’s output of radio and television programmes was a waste.”¹¹

⁸ Nova Medijska agenda (New Media Agenda): Towards European Media Policy in Croatia, Croatian Radio: Radio with Public Purpose, Medijska istraživanja, No. 2, 1999, p. 240 (Nada Zgrabljic and Tibor Benkovic)

⁹ Malovic, Stjepan / Vilovic, Gordana, Media Landscape of Croatia: Structure and Economy of Media System. <http://archiv.medienhilfe.ch/Reports/CRO2000.htm>

¹⁰ Thompson, #35

¹¹ Thompson, #45

But the failure to compete the Croatian state media obstruction also had to do with the personal working in the UNPROFOR's media department. Thompson criticises the lack of experienced staff:

“Other shortcomings of the Division of Information included the arbitrary style to recruitment (heavily dependent on friends-of-friends) and the lack of training given to mission members. New recruits were given no guidance through the labyrinth of former Yugoslav politics, nor any understanding of the relationship between political authorities, the media and public opinion. As a result, staff were liable to make elementary gaffes that were pounced on by the domestic media, eager to show that the mission was incompetent or biased.”¹²

Facing the reality of the Croatian authorities inciting public opinion against the mission and its objectives, UNPROFOR tried to establish rival sources of information and opinion, an approach to public information that had evolved in the missions to Namibia and Cambodia and regarded as successful there. The decision to do so may bring an answer to the problems, but was not adequate to the situation and missed the point.

Thompson criticises and sees clear alternatives:

“While complex and costly plans were devised for UNPROFOR to produce and transmit radio and television programmes, a simpler and cheaper strategy was overlooked. This strategy would have tackled more directly ‘the harmful consequences of propaganda and disinformation’. Rather than establish rival sources of information, UNPROFOR could have engaged pro-actively and directly with the propagandists and their political sponsors. This engagement could have occurred at various levels, co-ordinated between the mission headquarters in Zagreb and the UN secretariat in New York. Instead of taking offence at the ‘one-sidedness’ of the media, the Division of Information could have echoed their outrage where this was justified by events, while publicising the anti-UN propaganda and holding the Croatian authorities responsible. At the same time, the mission leadership could have raised the matter insistently in its contacts with the local authorities, and mobilised parallel pressure in the diplomatic community in Zagreb. The UN Secretariat in New York could have conveyed the mission's concerns to the Croatian ambassador. Ultimately, the Secretary-General could have ensured that the Security Council was kept aware of the propaganda issue, and proposed an adequate response.”¹³

Thompson defines a clear lack of political and operational credibility as well as a weak and reactive media strategy by the mission. In 1996, the UN presence in Croatia was reduced to the UN Transitional Authority in Eastern Slavonia, Baranja and Western Sirmium (UNTAES) in the east of the country, a much smaller UN Mission of Observers in Prevlaka (UNMOP) and the Liaison Office in Zagreb. UNTAES had a mandate to monitor the integration of the former Serb held area under Croatian rule. Thompson evaluates the mission's media activity:

“The mission's limitations were shown by its failure to influence HTV programmes that were seen as particularly hostile to national reconciliation. UNTAES argued that one of these programmes, *„Hrvatski spomena’* [The Croatian Memorial], a compilation of wartime news footage broadcast at prime time every weekday, should be reformed or cancelled. Eventually the UN Secretary-General mentioned the programme in a report to the Security Council, on 2 October 1997, describing it as ‘highly inflammatory footage of events during the war just prior to evening news programmes, thus belying the Government's commitment to the promotion of ethnic reconciliation.’ Pro-regime media in Zagreb complained that this programme was the only media

¹² Thompson, #46

¹³ Thompson, #47

product to have been singled out by the Secretary-General since the UN deployed in the region. This unprecedented criticism was in vain. After the expiry of the UNTAES mandate, the OSCE mission was repeatedly contacted by ethnic Serbs, fearful after seeing themselves on the previous evening's *'Hrvatski spomenar'*, seeking advice on what measures they should take to avoid the wrath of ethnic Croat neighbours. Only in spring 1998 did HTV remove 'inflammatory footage' from the programme. This episode neatly illustrates the limits of international pressure when it conflicts with national policy. The point about *'Hrvatski spomenar'* is that it expressed the real attitude of the authorities at a time when it was not expedient to articulate that attitude directly. The programme was doubly valuable at a time when the government was attacked by domestic critics for making allegedly excessive concessions to the Serbs and the international community. So it stayed on air, unreformed, regardless of the UN Secretary-General's opinion."¹⁴

Since July 1996 there was also an OSCE mission to Croatia, observing also the 1997 presidential elections and assessing them as "free but not fair". The main problem was identified as the media coverage of the campaign. On 26 June 1997 the mission was strengthened to 250 international staff, making it the strongest international presence after the end of the UNTAES mission in January 1998. The mission got deeply into the media field. Thompson:

"The 'enhanced' mission started to address media reform. The main problems identified by domestic and international analysts were: the political manipulation of the state broadcaster; the lack of private broadcasting at national level; the manipulation of the licensing procedure for private broadcasters; the use by officials of defamation laws to intimidate journalists; the effective monopoly of press distribution by two companies with close ties to the ruling party; and the unclear ownership status of some media."¹⁵

Obviously, the nationalist state media were the main target to address. Thompson describes the mission's assessment and reasoning:

"The mission gave first priority to assisting reform of HRT. There were several reasons for this decision. Like its counterpart in Serbia, HRT was (and still is) the most influential medium in the country. Given that no privately owned television station, or radio station with substantial news-production capacity, had a licence to broadcast throughout Croatia, HRT enjoyed unique access to the public. Surveys indicated that Croatian television (HTV) was the main source of information for 75 to 90 per cent of the population. The HTV news programmes were regularly viewed by 40 to 50 per cent of adults. HTV was, moreover, an entirely politicised institution, exploited by the authorities as a pillar of their political control. At the same time, the government was indisputably responsible for the output of the network – something that could not be said of pro-government media that had undergone some form of (often dubious) privatisation. Finally, since its recognition as an independent state in 1992, Croatia had committed itself to establish and uphold accepted democratic standards of freedom of media, information and expression. Particular commitments had been made regarding public service broadcasting. Additionally, under the terms of accession to the Council of Europe in November 1996, Croatia had undertaken 'to implement the recommendations of Council of Europe experts on legislation relating to the media', and 'to comply, well before the next elections, with the recommendations made by the election observers of the Council of Europe and other international organisations [...] with regard to [...] the need to increase the independence of ... HRT'."¹⁶

The media landscape in Croatia in general is much poorer than in most of the neighbouring countries, having few independent media only critical towards the regime

¹⁴ Thompson, #53

¹⁵ Thompson, #59

¹⁶ Thompson, #60

and influential with its outreach. While the weekly “Feral Tribune” and the regional daily “Novi List” are by far the best in prints, in the field of electronic media there is not too much worth mentioning. Even the Zagreb station “Radio 101”, often praised as the best and most independent radio in Croatia was often enough just a bit more moderate in its nationalism than the state media. By May 1999, according to the Croatian Council for Telecommunications, in the country 119 Radio and 14 TV-stations were operating, including the national state media and the local media controlled by city authorities. And many of the radio- and TV-stations not owned by state bodies, belonged to members either of the old or the new ruling party. Jura Hrvacic as owner of *Radio Velika Gorica*, *Narodna Radio* (People’s Radio, with the highest listener rating nation-wide), *Obiteljska* (Family) Radio is one example, Vinko Grubisic as owner of OTV and one of the creators of the HDZ’s doctrine of media control is another one.¹⁷

The private TV stations, concentrated in some of the bigger towns of Croatia, were weak and never managed to play a stronger role. Malovic/Vilovic state on the market for print media:

“The independents, which put their destiny at the mercy of the free market, adapt their editorial policies to the demands of the consumers. But the consumers are impoverished and are not enough well-off to be able to buy the newspapers. Therefore, they must be attracted by something strong, sensational and attractive enough to make them pull out of their pockets 5 or 12 Kunas for a daily or a weekly. Just a brief glance at the kiosk can tell us what is the effect of such a market: enormous headlines, scandals, disclosure of secret documents, sensations...”¹⁸

And the same logics applies for the electronic media:

“The private TV stations compete with each other in broadcasting hundreds of episodes of Mexican and other soap operas. The attempt at creating alternative newscasts proved a gruelling and not too successful one. Even this embryonic form of independent TV journalism would not have been made possible, had it not been sponsored by IREX ProMedia programme”¹⁹

Only in December 1999, a network of independent TV stations was launched and welcomed as a breakthrough. But still, opinion polls suggested that HRT shapes the opinion of 80 percent of the public.

This lack of media independent from state and party influence also hampered directly the reform of the state media, as there was no pressure from really independent and alternative media. In the first months of 1998, the authorities began under the pressure of the OSCE media department to promise with more conviction than before the impending reform of HRT from a state to a public broadcaster. The ruling HDZ party promised substantial amendments to the law on HRT. But more than the OSCE-pressure, the local critics might have been the engine to kick the debate off. Thompson writes:

¹⁷ For the print media we should mention here also Ninoslav Pavic as owner of *Europapress Holding* with *Globus*, daily *Jutarnji list*, weekly *Gloria* and *Arena* and a whole series of other magazines as *Playboy* and *Cosmopolitan*.

¹⁸ Malovic/Vilovic

¹⁹ Malovic/Vilovic

“This turn of events was probably linked to the emergence in October 1997 of ‘Forum 21’, a group of well-known journalists from HRT and elsewhere who wanted to ‘promote a dialogue about all important questions concerning electronic media’ in general, and above all to argue for HRT’s conversion into ‘public broadcasting institution that will meet all professional journalistic criteria [...] reflecting the pluralism of Croatian society’.”²⁰

With the assistance by Council of Europe’s experts, in the following six months amendments were drafted, discussed, re-drafted, re-discussed... Finally the bill was rushed through the parliament and adopted with very few of the amendments recommended by the Council of Europe’s experts. The OSCE mission commented publicly:

“The bill makes several cosmetic changes to the HRT Law. We regret that an excellent opportunity for democratic reform has been passed over.”²¹

The study by Malovic/Vilovic explains the hard times for HRT to change and adapt to democratic behaviour:

“The existing law, the redundant staff and the enormous financial losses of this media outlet – picturesquely described by its present General Director, Mirko Galić, as ‘an oil tanker on a shallow spot’ - do not stir high hopes that the changes will be effected quickly and efficiently. The lead news stories and broadcasts, which have the highest viewer rating, are still being presented more with a view of their protocolar value, less with a view of the value of the events as such.. The general impression gained by the European media is best summarised in a comment that it is still clearly visible from the lead news broadcasts which party is in power in Croatia.”²²

The struggle went on. On 10 February 1999, Mirko Galic, a top official with the HRT, resigned in protest at government interference in his work and a lack of democracy. In summer 1999 again, the parliament adopted a new Law on Telecommunications with the very same procedure, ignoring the experts recommendations. Still, by October some amendments were adopted, legalising up to 5 hours per day of networked programming for TV. This result of discreet lobbying by the association of independent stations allowed them to come up with a news bulletin broadcast in much of northern and western Croatia starting in December. USAID and the European Commission gave substantial support to get this independent media network on the air.

State HRT on the other side did not move at all. A “non-paper” on Croatian media was submitted to the government by OSCE, the embassies of the European Union and the US as well as the European Commission. The paper identified the principal problems in the media sphere and recommended feasible solutions. According to Thompson, the government’s response ignored certain points and denied others. In March 1998, the OSCE mission provided the government with a dossier of misbehaviour by the HTV prime-time news bulletin. No respond was forthcoming, Thompson states.

²⁰ Thompson, #61

²¹ quoted in: Thompson, #62

²² Malovic / Vilovic

Internal pressure appeared when “Forum 21”, a group of journalists working for both state controlled broadcaster and independent media, went public. In June 1998 they called for the resignation of four executives of Croatian state television HRT after they were appointed to a ruling party body in February. “We regard the exercise of political duties in the Croatian Democratic Union HDZ as incompatible with journalistic work”, Forum 21 spokesman Damir Matkovic is quoted telling at a press conference.²³ Neither international pressure nor local critics were strong enough to get the regime to change its attitudes on media. Thompson sees both, the international as well as the internal weakness:

“The domestic lobby for reform was too small and divided to worry the authorities unduly. ,Forum 21’ was the exception proving the rule. While often complaining about the ruling party’s abuse of media, the opposition parties had not embraced the cause of media reform with acumen or conviction. In the words of a leading member of Forum 21, Damir Matkovic in early 1999: ‘In the seven years since Croatia became independent, neither the ruling party nor the opposition has proposed any meaningful changes to state-controlled broadcasting.’ Lastly, the authorities believed, not without reason, that media reform was an issue on which it was possible to defy international will. In other words, it was not an equal priority with the return of refugees, the peaceful reintegration of Eastern Slavonia or the implementation of the Dayton Agreement for Bosnia. On each of these points, the authorities made significant concessions under international pressure.’”²⁴

A prominent journalist at the state HTV commented to Thompson on the weakness of the internal opposition and the lacking strive for reforms. He is quoted saying

“that the biggest problem for ‘Forum 21’, the group of pro-reform journalists, was ‘the lack of support [for our ideas] within our own ranks of Croatian journalists. Most have no experience of other systems. International assistance should try to build constituencies for reformist ideas. The best remedy is short scholarships or internships abroad. Two months is enough’.”²⁵

Croatia’s president and war-time leader Franjo Tudjman had media and the whole state under the strong control by himself and his close party allies and family members. The International Press Institute states in its year 2000 report on world press freedom: “The state broadcaster Croatian Radio-Television (HRT), the primary news source for the majority of Croatians, was a mere mouthpiece of the ruling party.”²⁶ For months the discussion on reforms went on, without any results. For 3 January 2000 elections were scheduled. Again the state HRT proved to be a loyal servant to his master:

“Monitoring by the OSCE Office for Democratic Institutions and Human Rights (ODIHR) confirmed that HTV ‘remained excessively biased in favour of the ruling party, in both quantitative and qualitative terms’.”²⁷

²³ quoted in: 1998 World Press Freedom Review by the International Press Institute IPI. On Croatia: <http://archiv.medienhilfe.ch/Projekte/CRO/Reports/ipiwprf-cro98.htm> The four were named as head of programming Hloverka Novak-Srzic, information director Obrad Kosovac, the head of creative programming Marija Peakic-Mikuljan and the editor of the evening news bulletin, Liljana Bunjevac-Filipovic.

²⁴ quoted in: Thompson, #68

²⁵ Thompson, conclusions #195

²⁶ 2000 World Press Freedom Review by the International Press Institute IPI. <http://archiv.medienhilfe.ch/Reports/ipi2000/cro.htm>

²⁷ Thompson, #72

But this finally did not save neither the president nor the ruling party. Tudjman's death gave way at the elections of for changes in the state leadership. On 20 November 1999 already, the leading opposition parties had committed themselves formally to turning HRT into a public service broadcaster. After the victory at the elections, the incoming coalition government declared its commitment to reforming HRT again. Thompson quotes SDP leader Ivica Racan, saying in the International Harald Tribune that "creating a truly public television service" would be "the [victorious] coalition's first task". Thompson goes on commenting: "Within a month, officials were promising a new Telecommunications Law that would incorporate all the Council of Europe's recommendations."

Known Croatian journalist Drago Hedl kept his scepticism:

"Although better days are probably coming for media in Croatia after the fall of HDZ and Tudjman's policy, which held free journalism in contempt, it would be an illusion to expect that the new administration will be completely immune to all kinds of sycophants such as those who ruled the major media until now."²⁸

Reality was all too fast to prove he was right. The state is directly and indirectly, through its enterprises or funds, still very significant media owner. Beside the electronic media in the HRT-house, this also includes the news-agency *HINA*, the dailies *Vjesnik* and *Slobodna Dalmacija*, the printshop *Hrvatska tiskara*, the distribution network *Tisak* and many more. The change in the state leadership did not yet bring a change in the media system and the new leaders proved soon to be more than willing to use the state influence in their own interest. Scandals were shaking the country several times, when former power holders clashed with the new ruling parties on media. The biggest headlines were caused when media uncovered the close links of some media tycoons with the former ruling party HDZ and unveiled a plot.²⁹ But also members of the new state leadership used their direct connections to some media people more than once to put their private agenda against state interests.

People working in the state media tried to wash their hands free of responsibility, while independent journalists often were seeking for satisfaction for all the blamings and accusations they had to suffer during the years of HDZ-rule. Hloverka Novak Srzic, called by independent journalist Drago Hedl a "TV editor and diligent soldier of HDZ" in the midst of a popular political show allclaims live on TV that she has never been a member of HDZ. Hedl goes on:

²⁸ quoted in: Thompson, #73

²⁹ On 4 December 2000, police detained several people for questioning in connection with an alleged attempt to create an illegal cartel intended to establish a monopoly over the Croatian media. The scandal broke when the new daily *Republika* accused Ninoslav Pavic, co-owner of Croatia's largest publisher Europa Press Holding, and several others of signing a, "Contract for Joint Appearance in the Market" allegedly aimed at limiting competition and establishing control over the Croatian media sector. Police released Pavic two days later, saying that did not have enough evidence to keep him detained. Pavic vehemently denied the accusations.

“If one could climb up high enough where one could see the whole Croatian media scene, it would be a wonderful entertainment. One would see the most ardent spokesmen and advocates of HDZ and its policy among journalists, in the dark of night, in underwear and pyjamas, trying secretly to run over to the opposite team. All the newspapers have all at once become the same – endlessly free and without taboo topics, open to every story and every interlocutor. Some things for which a television editor would have been called to account until just recently or maybe even lost his/her job, nowadays does not bother anyone.”³⁰

Some of the leading personages in the media submitted their resignations to the new authorities, such as Ivica Vrkić, director general of Croatian Television (HRT) and Benjamin Tolić, director of HINA state news agency, Nenad Ivanković, editor-in-chief of government controlled Vjesnik. But while some top staff left, most people recruited during the HDZ era stayed and still stay on. HRT still employed more than 3000 people and spend a budget far beyond everything rational in modern media. Croatian journalist Milivoj Djilas writing about HRT finances:

“Some of the most glaring examples of the financial madness characterising the operation of this media house are: a hundred or so manager’s contracts for salaries of DM 10’000, financial ruin of the recording company ‘Orfej’ which is totally owned by HRT, enormously high payments to the ‘Orfej’-Director, paid mobile phone bills, cars, clothes at the disposal of television staff, suspicious establishment of ‘Erotel’ (which broadcasts all three HRT television programmes in BiH) firm and non-transparency of financial transactions with that firm, some illogical elements in the business operations of the firm ‘Sono’, some underhand dealings in the entertainment and special projects departments (various beauty contests, Euro-song competitions, etc.), disproportionately high entertainment allowances from which, by all indications, HRT staff profited the most, high payments to subscription collectors, some 8500 persons hired as outside help, negative last year’s financial balance of nearly DM 30 million, etc.. All said and done, it seems that the only thing missing for the declaration of bankruptcy of the Croatian television is an official request.”³¹

Gordana Vilović, head of the Media Center “Freedom Forum” at the Faculty of Political Science at Zagreb University, sees the whole exercise drafting a PBS for Croatia far out of reach due to its planned size and price. Vilović quotes Croatian journalist Geza Stantić, commenting on the new law: “In Croatia, public radio and television – in light of the program broadcast and the number of workers (around 3,500 employees) – is too massive. In view of the country’s economic potentials and the purchasing power of the population, it is too costly and not good enough in performing its publicist role.”³²

T. Klauski warns of the fact that the program “News of the Day” on the Croatian Commercial Network CCN³³ (the network of local TV stations) is made by a team of eight

³⁰ Hedl, Drago, Journalists changing sides, AIM Zagreb, 6 February 2000.

<http://archiv.medienhilfe.ch/Projekte/CRO/Reports/aim00-02-06.htm>

³¹ Djilas, Milivoj, Croatian Radio & Television in a Blind Alley. AIM Zagreb, 30 June 2000.

http://archiv.medienhilfe.ch/News/Archiv/2000/AIM_CRO0630.htm

³² Stankić, Geza, Another Pre-Election Promise betrayed. Article in FOKUS, 18 December 2000, page 9, here quoted by Vilović, Gordana, Development of Public Broadcasting Service in Croatia: Bill on Croatian Radio-Television defined. Media Online 2001. <http://archiv.medienhilfe.ch/Projekte/CRO/Reports/2001HRT-M@.htm>

³³ The Croatian Commercial Network CCN was set up end of the year 1999, providing the stations newscast comprised of stories produced by reporters in Zagreb and from around the state, local programming produced by network member stations and entertainment programming purchased from commercial sources. Its *Vijesti* news program has been identified as the most credible source of broadcast news available in

journalists, while HRT's news program is made by 503, and also that CCN has two cameras and one car, while HRT has five people on one team only, plus a driver and a van.³⁴

But HRT journalists and other employees, organised in the "Committee on Protection of Public and Integral HRT", are fighting for their jobs. In a letter to the government sent on 5 January 2001 they write: "Director Mirko Galic himself has said that many employees are receiving salaries without doing anything (...) As cruel as it may sound, in a situation when many Croatian companies are rationalizing employees to the maximum, why should HRT be an exception?"³⁵

Vilovic sees the dilemma between getting HRT on a financially viable track and the interests of the employees fighting for their incomes:

"Haven't the existing small commercial television stations shown that they are able to produce better quality news with an incomparably smaller number of people? Of course, no one wants the surplus HRT employees to crowd the corridors of the Employment Bureau. However, with all due respect for HRT's special purpose, one may still raise the question of how many large Croatian state giants have been transformed, without even one-fifth of the media space being allocated to the issue of transformation of these companies and the people who were left jobless. One needs to believe that real professionals will always be recognized and will always find their place on future public television and radio."³⁶

The reform did not move forward. Despite the political agreement on transforming HRT from a state to a public broadcaster, there was no agreement on concrete steps to take:

"This conditional agreement was reached regarding one more thing: that HRT must become a 'public' institution in the service of all citizens, and not a political service of the currently ruling nomenclature. However, concerning the definition of the term 'public' there were essential disagreements, while its possible application to the future functioning of state television is becoming more vague day by day, despite numerous round tables and conferences organised on this subject."³⁷

On the stage of programme on HRT, Milivoj Djilas states:

"HRT employees are not sure how to carry out significant improvements, especially regarding the programme quality and reduction of the number of employees. General dissatisfaction with the programme has remained even after the dismissal of Obrad Kosovac, a HDZ leader, and people he brought to HRT, the more so as the new editors are not very good at tasks entrusted to them. A high quality information programme is still more an exception than a rule, and the majority of HRT workers are not on speaking terms in fear of losing their jobs (which in HRT still entails numerous privileges) which further hinders normal coordination of HRT's daily functioning."³⁸

And Vilovic agrees:

"Discussion so far has focused too much on norms, and too little on improving professional journalistic standards, which are a very important element in creating public radio-television. The

Croatia. OSCE report on election coverage (December 1999/January 2000 describes Vijesti as "the source of most balanced and professional election coverage".

³⁴ Klauski, T., 'Why is CCN News Better than HRT's News Program Journal,' Supplement to 'A Profile of a Policy,' 20 January 2001, pg. 16, here quoted by Vilovic.

³⁵ Lacko, R., 'They care about money more than about journalism.' Article in Vecernji list, 22 December 2000, page 34, here quoted by Vilovic.

³⁶ Vilovic

³⁷ Djilas, Milivoj

³⁸ Djilas, Milivoj

level of professionalism at Croatian Radio-Television, at least with regard to informative and political program, is not in accordance with the number of people who create program.”³⁹

Six months after the winning coalition took over state power, Djilas has a very dark look at where things had gone so far:

“The problems that have accumulated in television and around it, as well as interests - individual, as well as those of political parties – have totally paralysed any reasonable discussion about the transformation of television. Moreover, some are inclined to claim that the situation is much worse today than it had been under the HDZ rule, especially as there are no visible improvements in the programme, while uncertainty about the future direction of transformation, as well as the destiny of many of its workers, is only growing.”⁴⁰

In February 2001 then, a legislation facilitating HRT’s transformation to a Public Broadcaster was adopted by the parliament against the votes of the nationalist majority in the upper house. The new legislation institutionalises a council of “high-profile public and cultural figures, including journalists and members of non-governmental organisations” to take over the duty to staff HRT (including its director) – a task that up to now was under direct control of the parliament. HRT shall be split in three separate companies for radio, TV and transmitters. One of the three radio channels and the third TV channel shall be privatised within one year. The law regulates the finances of HRT with incomes on advertisements and subscriptions. TV commercials are limited to 9 minutes per hour, significantly more than the European average for public television. Endangering with this regulation the incomes of the private stations living on market incomes only without public subsidies, the decision was explained with the need for HRT to a major capital accumulation in the beginning. The mandatory subscription fee was fixed to 1.5 percent of the average salary in Croatia, reaching at the moment with some 6 Euro the double to triple of fees in the neighbouring countries.

Vilovic does not see the new legislation as a step ahead in the HRT-reforms:

“Media discussion, conflict, petitions, controversy, harsh words, and even insults regarding the, now it is obvious, inglorious Bill on Croatian Radio-Television (HRT), culminated in mid-January (2001). The bill is like an unwanted child who should not be born at all as it is burdened with many malformations. The finale of the discussion on the bill took place at a session of the Parliament Committee on the Constitution, Operating Regulations and Political System, which concluded that the bill will enter parliamentary discussion, but in an amended form. A dilemma, however, remains – has all this discussion in parliament committees, at Forum 21, Croatian Journalist Society Central Board, Committee on Protection of Public and Integral HRT, Association of Film Workers and many other associations, served the public, for which public television is ‘created for’ in the first place, or perhaps the purpose was only to reconcile the many different interests. The only common conclusion reached in all these gatherings is that the bill is endlessly poor and imprecise, and that no one wants the third TV program and third radio program to be abolished.”⁴¹

According to Vilovic, “the festive atmosphere from 2000 can hardly be compared with the first days of 2001” and she goes on saying:

³⁹ Vilovic

⁴⁰ Djilas, Milivoj

⁴¹ Vilovic

“The Government is faced with a media vicious circle. Ownership relations in the print media are still not settled, news pages are full of all kinds of scandals, the Government has taken up work on the Bill on Croatian Radio-Television, and there is a lot of speculation regarding the transformation and future staffing reorganization of Croatian Radio-Television.”⁴²

Mirjana Rakic, HRT editor of the news and documentary programmes, sees the process of reform with the new legislation getting HRT out of political influence. In an interview she states:

“Anyone normal is clear about the fact that the law itself does not bring about change. You have to apply the loan. As for the influence of the politics, I believe that we are the leaders here in the region in terms of isolating politics from directly influencing the television. I am referring to our Council, consisting of 25 people coming from various social groups, from various civic associations, that is, from non-political segments. Neither the parliament nor the parties are exerting influence any longer. Only three people, and this is more honorifically, are appointed by the country’s president, prime minister and parliament president. But these too are non-party people. They have already appointed these three persons – one of them being the president of the literary association, and the other two having nothing to do with the politics either.”⁴³

Giving some impulse to get HRT out of political control with the new legislation, the whole process however stays very fragile. Damir Matkovic, editor at HRT and member of Forum 21, calls the absence of public scrutiny an enduring problem:

“The problem is that the Croatian public still has no influence because civil society still doesn’t function here. Due to this lack of public accountability some politicians are able to edit programmes over the phone. They merely call the editor to let him know what they want and what they don’t want to see on TV. HRT used to function this way during Tudjman’s reign.”⁴⁴

The statement by Malovic/Vilovic is true unfortunately not only for Croatia:

“The politicians, regardless of whether they are in power or in opposition, want to exert influence on media, and in doing that they use the old, tried-out methods from the times of socialism. The journalists, on their side, aware of the influence of the politics and desirous of achieving a better position for their media outlets, enter into close relations with the politicians. In such a way, instead of independent media, we get media that are closely affiliated with whatever party, so that the whole situation reflects on the level of information the citizens finally possess. The citizens are still forced to follow several media simultaneously if they want to know what is really happening in their country.”⁴⁵

With the establishment of the Independent TV network CCN (see footnote), a strong blow was given to this state and party controlled media setting. Already with the election coverage end of 1999, CCN proved to be more professional than the state radio and TV. By the beginning of the year 2000, all stations involved in the network have been connected to a newly established fiber-optic system and supplied with the required sending/receiving equipment. On 4 February 2000, eight TV stations signed the contract to broadcast the central Daily TV news and the late TV news. Since then the network

⁴² Vilovic

⁴³ The first Steps of Croatian Public RTV. Interview with Mirjana Rakic by Radenko Udovicic. Media Online 2001. <http://archiv.medienhilfe.ch/Reports/Balkanmedia/CRO1.htm>

⁴⁴ quoted by Hedl, Drago, Zagreb pushes through Media reforms. IWPR Balkan Crisis Report No. 224, 7 March 2001. <http://archiv.medienhilfe.ch/News/2001/IWPR-CRO224.htm>

⁴⁵ Malovic/Vilovic

expanded its activities further and challenges the state controlled media in an open competition about public broadcast services.

This however did not change the situation fast. Still beginning of 2002, Stojan Obradovic in an article titled "Delaying Public Television" states that

"almost all important media-related problems from that era are still present, although to a lesser degree or in different form: public television is still a distant goal, legal regulations on the media are still far below the desired European standards, the state is still the owner of a large part of the media space..."⁴⁶

The OSCE kept making pressure on the Croatian government as it was obvious "that public television is still only a media dream in Croatia". Obradovic refers to an expert study commissioned by the OSCE Office of the Representative on Freedom of Media in November 2001, concluding "that establishment of public television in Croatia is still at the very beginning". The process however did not go ahead and a lot of energy was wasted according to Brankica Petkovic, program director for the Peace Institute in Slovenia, as too much focus was placed on refining laws and not enough on making good programs:

"A considerable energy has been wasted on debates about legislation, while production and programming were addressed only in passing. Experience shows that laws are not in any way correlated with the quality of the programme, since the latter simply cannot be regulated by law. And the audience is interested in programmes, not in laws."⁴⁷

The problem is seen also inside the house:

"The Croatian Radio and Television general director and top figure in the most powerful media house in the state, Mirko Galic, who was recently re-elected to the position, said in an interview given towards the end of last year that public television cannot be created by pushing a button; it takes time because Croatia did not have the essential preconditions necessary for creating public television, such as quality journalists to carry the project, a political elite to want the project, and existence of public opinion to support the project."⁴⁸

Obradovic himself concludes:

"Although these views can partly be accepted, it seems that even the people who manage the television lack good ideas and determination to embark upon the project, and that actually lack of such an orientation in the national TV house management is perhaps the greatest obstacle to real changes towards public TV. (...) By passing legal regulations which give them a lot of influence on management structures in the national media house, the authorities have shown that public television is not their real political priority. But this is not surprising. (...) The public television project should finally become a subject of public discussion, a public issue, but those who raise these issues are rare. A real contribution to solving this issue would probably be to initiate concrete discussion regarding the parameters and coordinates of public television and comparison with public televisions in Europe or with other projects of creating public televisions in countries in transition. Then we will know where we are and what really separates us from public television."⁴⁹

⁴⁶ <http://www.medienhilfe.ch/News/CRO/PBSdelays.pdf>

⁴⁷ Petrovic, Brankica, at the IFJ Regional Conference on Broadcasting; in: Journalist Newslines, March 2002.

⁴⁸ *ibid.*

⁴⁹ *ibid.*