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Independent journalism in contexts of **shrinking civic space**

Challenges and strategies
of media resisting shrinking
civic space in Europe



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Special thanks to the media outlets featured in this publication:

Átlátszo, Hungary

KRIK, Serbia

Liber in Teleorman, Romania

Oštro, Slovenia

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Executive Summary

Independent media face serious challenges as a result of democratic backsliding and the accompanying trend of shrinking civic space. This development can be observed in democracies under pressure across the world, including in Europe. Illiberal political actors seek to delegitimize their work and limit their ability to uncover information, reach an audience, and hold powerholders to account. But independent media are also a part of the solution.

In this study, we explore the challenges and strategies of independent media outlets in contexts of shrinking civic space. To this end, we present five case studies on a specific media outlets. These describe the overall political context for the media, the specific challenges that the respective media outlet has faced, as well as the different strategies that they have used to meet these challenges. The overall problem is situated within a set of concepts introduced in the first chapter, while the conclusions chapter brings together the lessons which can be learned from the case studies in one framework.

The five case studies each have a distinct focus, namely:

- The efforts of *Átlátszo* in Hungary to reach groups in society who are currently not exposed to independent media content.
- The lessons *KRIK* in Serbia learned on how to anticipate and counter attempts by powerholders to repress their story, including through cross-border collaboration.
- The thin line between activism and journalism that *Liber in Teleorman* in Romania treaded, while investigating power abuse by national politicians at the local level.
- The focus on professional standards and community engagement by *Oštro*, in their attempt to build credibility towards an audience used to partisan media.
- The position of *Átlátszo Erdély*, a Hungarian-language media outlet in Romania stuck between pressures from multiple sides, who as a city-based media outlet managed to embed themselves in a rural audience.

We found that three main objectives recur throughout the case studies. These are vital for media to resist shrinking civic space, and should be a given in a healthy media environment. In the conclusions we have therefore described the problems and identified the main strategies that media outlets can use to ensure these objectives:

1. All audiences have access to independent media
2. Independent media are seen as credible
3. Independent media hold powerholders to account

These strategies range from verification processes to cross-border collaboration.

In addition, the overview of strategies for media outlets in the conclusions chapter provides insight into how media support organisations and policy makers can effectively facilitate their work in contexts of shrinking civic space. Concrete suggestions include providing a fund that national media can use to pay local media to republish their content - to address both the income dependency of local media outlets on local governments and the difficulty independent national media have reaching audiences outside of large cities.

Independent Journalism in Contexts of Shrinking Civic Space

Introduction

'Shrinking civic space' is a trend that is manifesting itself across the world, including in Europe. In this phrase, 'civic space' refers to the sum of all conditions that allow individuals and organisations to participate, organise and communicate outside of the control of the state or the market. Its boundary is defined by three fundamental rights: the right to association, the right to peaceful assembly, and the right to freedom of expression.¹ Pressure on these rights restricts the space for civil society organisations – such as non-governmental organizations (NGOs), citizen associations, religious organisations, labour unions, spontaneous movements of citizens, and independent media outlets – to operate freely.

This process is tied to the rise of regimes that have been described as illiberal democracies or electoral autocracies. Their intention is to remove or neutralise norms and institutions that limit or hold accountable those in power. As a result, powerful political actors are increasingly able to constrain public discourse; manipulate elections and evade accountability. Of course, there are country-specific differences in which of these rights and institutions are attacked first, and in what manner. But the result is clear: a broadly observed decline in the quality of democracy and ultimately a loss of democracy.²

Independent media and journalists are among those that have their legitimacy attacked. They have the civic function to 'hold powerholders to account' and to provide the public with a diversity of views and narratives, whereas illiberal political actors are attempting to create a system where this accountability hardly exists. As a result, the work of independent media is made more difficult in contexts of shrinking civic space, but can also act as a counterforce. How they can do so, resisting and pushing back against shrinking civic space, is the central concern of this publication.

Democracy Contested: Concepts and Context

Democratic backsliding

There is a growing body of literature on shrinking civic space and 'democratic backsliding', with the resulting systems of government often described and analysed as 'illiberal democracies'. Democratic backsliding is closely related to shrinking civic space, but it is not exactly the same concept. It "denotes the state-led debilitation or elimination of any of the political institutions that sustain an existing democracy."³ Putting shrinking civic space in the context of democratic backsliding, as we do in this publication, highlights that this trend is part of a deliberate targeting by political actors, who, when in government, abuse their majorities to undermine checks on their power.

Democratic backsliding can occur in several varieties, ranging from classic coups d'état (attempts by the military or other elites to remove the sitting executive), to election-day fraud, and executive aggrandizement (elected executives weakening checks and balances and initiating institutional changes that reduce the power of the opposition). It is especially this latter process that has become more common in the 21st century.⁴

A 2019 article by the V-Dem institute established that we are currently in the third 'wave of autocratisation', meaning that "the number of countries undergoing democratization declines while at the same time autocratization affects more and more countries."⁵ What is specific for the current period is that, in contrast to previous waves of autocratisation, it is primarily countries (previously) classified as a democracy that are becoming more autocratic.⁶ To illustrate, 68% of the contemporary cases of autocratisation were started by elected incumbents, rather than by military coups.⁷

The resulting regime is one that claims to be a democracy, where elections are held and the rule of the government is legitimised through these elections but where the electoral playing field is tilted and elections are at most 'free but not fair'. Concretely, this includes the elimination of transparency in the use of public money; the erosion of checks and balances to the executive by other branches of government; the systematic thwarting of autonomies; and the delegitimisation of opposition and criticism.

Measures taken as part of executive aggrandizement especially undercut 'institutions of accountability', such as media freedom and the autonomy of the judiciary. It will therefore be of no surprise that the repression of media freedom and control over the way the media report the news are consistently linked to democratic backsliding.^{8,9}

Spread

A further danger is that democratic backsliding and shrinking civic space can spread. The success of illiberal actors in one country in capturing media outlets and other institutions that are meant to check government power can empower political actors in other countries to govern in the same way.

At the level of ideas, it contributes to normalising illiberal ideas on democracy, such as a delegitimisation of counterpower. This can be seen in the spread of the aggressive language by powerholders and governments towards critics and independent media. Furthermore, one government taking restrictive measures can create precedents that make it easier for other governments to do the same.

Other reports have also established that the spread of democratic backsliding, and with it low governance standards, can lead to increased vulnerability to the influence of foreign autocratic states, such as Russia or China.¹⁰ In tandem with extending their influence, these further promote narratives that undermine trust in democracy and promote (electoral) autocratic norms as more effective or legitimate.¹¹

Concretely, illiberal governments can support each other in European affairs or undermine civic space across borders. The spread of media capture by illiberal governments, as one relevant example of this, is well-documented, particularly from the network around the Hungarian Prime Minister Viktor Orban.¹² In this volume, the influence of this network is observed in both the Slovenian case study and the case study on Hungarian-language media in Romania.

'Illiberal Democracy'

The starting point for most discussions of illiberal governments is an article published by Fareed Zakaria in *Foreign Policy* in 1997, titled *The Rise of Illiberal Democracy*. In this article he observed that in some situations, organising elections did not always result in a respect for constitutional limits on executive power or for the rule of law by those in power. He termed the resulting government system 'illiberal democracy'.¹³

Since then, the term illiberal democracy has at times been co-opted by illiberal actors themselves to imply that what they are constructing is a legitimate form of democracy, but one dominated by conservative rather

than 'liberal' values. In a speech in July 2014, Viktor Orban used the term as self-descriptor in this way, to describe the ideology behind the political system he is building. This is a discursive move, which seeks to claim the normative power of the idea of democracy, while dismantling many of its important characteristics (which is in itself not a new strategy – the Russian government did the same by coining the term 'managed democracy' in the early 2000s).

In this volume, we use the terms 'illiberal political actors' or 'illiberal governments' when referring to the governments and persons involved in executive aggrandizement to solidify their power and undermine civic space. But to avoid the implication that 'illiberal democracy' is still a form of democracy, we prefer alternative terms such as 'electoral autocracy' to refer to the political system they are building.

As former OSCE Representative on Freedom of the Media Miklos Haraszti put it: "[illiberal regimes] have set out to transform democracy from a cooperative and pluralistic enterprise into a disguise for a game in which the winner sets all the rules."¹⁴

Independent media

Governments in these electoral autocracies appeal to two sources of legitimacy for their policies: the fact that they have won a majority in elections in the past, and a notion that 'people are living better' under their rule ('output legitimacy').¹⁵ Over time their policies to shrink civic space and change the electoral playing field make it easier to win subsequent elections. In theory, these elections can still be lost though, especially if their output legitimacy is threatened. This makes it vital for powerholders in these systems to prevent independent media from uncovering corruption and examples of poor governance.

As we will see in the examples of challenges faced by independent media outlets, this results in actions by illiberal actors to delegitimise independent media outlets and to directly restrict their ability to function. These are not just two means to achieve the same thing: previous studies have shown that stigmatising civil society organisations (CSOs) is often a way to later legitimise more direct forms of repression; while direct state action against organisations or individuals also has a stigmatising effect.¹⁶ Both facilitate an ongoing process of media capture.

This can ultimately result in a phenomenon called 'media capture', described by the Center for Media, Data and Society as: "a situation where most or all of the news media institutions are operating as part of a business-to-business cartel that controls and manipulates the flow of information".¹⁷ Many threats to the functioning of independent media can emerge before this is fully the case though, such as the delegitimisation of critical voices to restrictions to access to information.

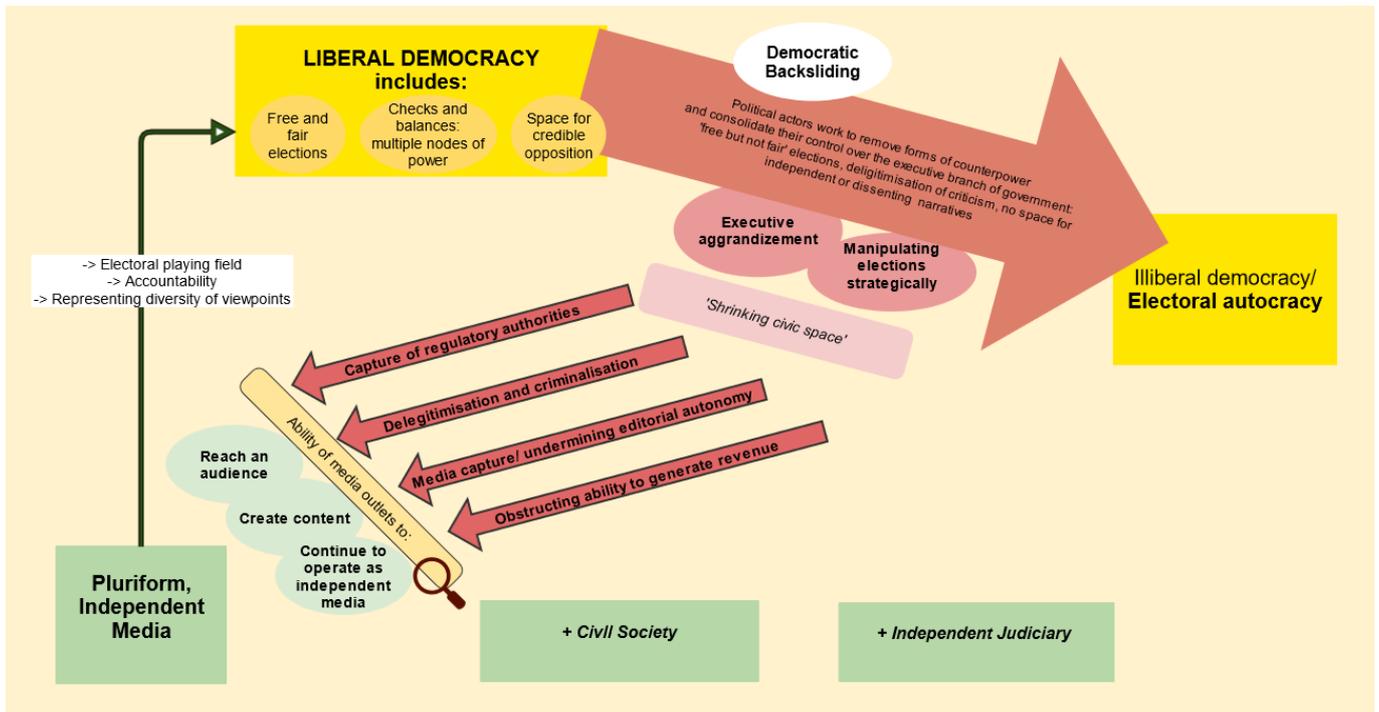


Figure 1: schematic outline of the main concepts used in this study, showing the shrinking of civic space in the context of democratic backsliding threatening independent media. Meanwhile, independent media play an important role in upholding (liberal) democracy. The focus of this study is on the ability of independent media outlets to resist these threats and continue to function regardless, as indicated by the magnifying glass.

The concepts of media capture and shrinking civic space are currently part of two different discourses. They can easily be connected, however, by highlighting that media capture “reduces the space for civil society voices (...) and completely eliminates any form of government accountability.”¹⁸ Making this link helps to bring in independent media outlets as organisations which are affected by shrinking civic space, but also well-placed to resist it.

Resisting Shrinking Civic Space: Case Studies of Independent Media Outlets

Addressing the ‘media gap’

The term ‘shrinking civic space’ is commonly used in non-governmental circles and in literature aimed at these actors. Several reports have been written in recent years on shrinking civic space, how NGOs are affected by it and on how they can resist, notably by CIVICUS, Human Rights House Foundation and the Helsinki Committees.¹⁹

One of the potential response strategies for Civil Society Organisations that CIVICUS found in its Enabling Environment National Assessments (EENA) research was to work with the media. They list examples where CSOs actively reaching out to media outlets helped the CSOs build legitimacy and public support for advocacy efforts.

A matter of concern is that CSOs’ ability to engage with media outlets is often limited.²⁰

Of course, media outlets are not only a potential tool for CSOs, but are themselves also targeted by political actors seeking to restrict civic space. Although there are clear differences between media outlets and the civil society organisations described in these studies, many of the functions attributed to civil society with regards to overbearing power holders also apply to independent media outlets.

Despite this, literature focussed on ‘shrinking civic space’ and especially on strategies to resist shrinking civic space rarely includes media organisations or journalists. This constitutes a gap, which the present study aims to fill.

The case for case studies

Van der Borg and Terwindt (2014) and Buyse (2018) similarly point out that organisations can be affected differently by ‘shrinking civic space’ and that it is important to look at the specific characteristics of an organisation within the overall context.²¹

Shrinking civic space manifests itself differently across countries, depending on the possibilities and priorities of those in power, the overall context of civil society, and the media landscape. Responses to the problem of shrinking civic space therefore also need to be tailored to local circumstances.

In this publication, we have studied different strategies for resisting shrinking space through case studies, embedded in thick descriptions of the context in which they are applied. The case study chapters all focus on one specific media outlet, each in a different context.

Each chapter is written by a media expert based on interviews with journalists from that media outlet and describes both the general context of (shrinking) civic space and media freedom, the specific challenges that the respective media outlet has faced as well as the different strategies that they have used to (continue to) operate in the context of shrinking civic space. These descriptions illustrate the challenges faced by media outlets in these circumstances generally. In addition, each case was selected so that it would highlight different types of challenges and strategies.

Chapters

'A Tale of Many Towns: How a Hungarian Watchdog NGO Widens its Outreach', by Eva Bognar and Robert Nemeth, describes the independent media outlet Atlatzso. The Hungarian political and media environment in which it operates presents it with multiple challenges, but the main focus of this chapter is its efforts to reach out to audiences in the countryside. In doing so, it seeks to address a particularly worrying aspect of the Hungarian media-landscape, namely the near-disappearance of independent local newspapers.

Until a few years ago, nearly all of Hungary's 19 counties had an independent daily newspaper which together serviced a large part of the Hungarian public. By 2018, these had nearly all been bought by government-friendly oligarchs or driven out of business by a politically distorted advertising market, leaving their audiences with little exposure to any news that does not follow the pro-government narrative. With its *Orszagszerte* (meaning: 'all over the country') project, Atlatzso has sought to fill this gap. While the chapter describes some important challenges, it also highlights that it has so far been rather successful. By highlighting this example, we hope that media development organisations and other media outlets can learn from their experiences or become inspired to provide further support.

In 2017 the Independent Association of Journalists of Serbia warned that "media in Serbia are instruments of government, caught up in the chain of corruption."²² *'Story ex machina: turning an attack into a gain'*, by Bojana Kostić, describes how the investigative media outlet KRIK dealt with several forms of pushback from the government as a result of an investigation it conducted into illegal activities by a prominent member of the ruling party.

The case illustrates why it is important to anticipate pushback and how to do so. In order not to alert the government to its investigation, KRIK engaged in cross-border cooperation to obtain crucial information. They

further made sure to meticulously fact-check every part of the story, which proved to have been a good idea when power holders tried to squash the story after publication. Other challenges had to be met on the spot, in what the chapter describes as a 'arms race' between government and media outlet. As a result, they learned how to anticipate measures against them, to assess before publication what mechanisms can be used to each out and silence a story - lessons that other media outlets as well as those seeking to support them can learn from as well.

The next chapter contains lessons from a difficult context as well as some important reflection. *'The use of provocation as a tool for journalists: a case of small local media taking on political leaders in Romania'*, by Dumitrița Holdiș, explores the relation between activism and independent journalism in contexts of shrinking civic space.

This is a complicated topic in its relation to journalistic ethics, which stress the importance of the line separating journalism and activism. However, in contexts where powerholders actively seek to prevent independent journalism from reporting critically about their activities, this line becomes more ambiguous. Ultimately, the case provides a description of how a media outlet can increase civic space and accountability at local level. With some important caveats, the chapter concludes that "the paper created a space for intervention" - which is perhaps the most literal form of resisting shrinking civic space.

In contrast, *'Oštro: continuous learning in Slovenia's center for investigative journalism'*, by Romana Biljak Gerjevič, illustrates how a focus on professional standards can help to set an independent media outlet apart from the rest of the media landscape. Oštro is a relatively new media outlet that fills a gap in a media landscape dominated by partisan or sensationalist media outlets.

This case focusses on the importance of credibility for an independent media outlet. Their response has been to ground their journalistic practice in a strong Code of Conduct, bringing back a focus on professional standards, investigative journalism and fact-checking. During their short existence, civic space has narrowed down, affecting independence and working environment. To deal with these circumstances end, Oštro has build a community of supporters and prioritised journalism education for professional standards inside its own organisation.

'Institutionalizing progressive media in Transylvania - The case of Átlátzso Erdély', by Dumitrița Holdiș describes the Hungarian-language media outlet Átlátzso Erdély, which is based in Cluj-Napoca, Romania. It is a media outlet situated in a minority-language media landscape dominated by party interests, which has resulted in various challenges, particularly when it comes to cooperation. Their independent approach means that

their relation with other Hungarian-language media outlets, captured by various political elites, is cold, while the separation between the language communities has inhibited cooperation with Romanian-language media.

In addition to the challenges of navigating this media landscape, this case also focusses on how to successfully engage with audiences. The journalists at *Átlátszó Erdély* have build relations with audiences in various smaller location in Transylvania. This has enables them to produce (local) stories based on information that they would otherwise not have access to. While the further goal of engaging similarly with Romanian-speaking audiences in the region is yet to be realised, this case provides an important example of how to invest in community engagement.

The *Conclusions* chapter then brings the findings of the case studies together in thematic clusters. It contains recommendations of practices and strategies to inspire independent media outlets, as well as media support organisations and policy makers seeking to facilitate them. This overview in the *Conclusions* chapter can also be used as a starting point, but we advise readers to still look at the case study chapters to determine to what extend the challenges and circumstances are similar in the context in which they seek to apply them. A proper understanding of the interplay between the context and individual independent media outlets, as provided by these case studies, can help to draw lessons on how to effectively resist shrinking civic space in other contexts.

Notes

1. Goris, Y. (2017): *Activism, Artivism and Beyond: inspiring initiatives of civic power*. Amsterdam: Partos: p. 10.
2. For instance, Freedom House noted in its *Freedom in the World* report of 2020 that 2019 was the 14th consecutive year of decline in democracy globally: Repucci, S. (2020) *Freedom in the World 2020; a leaderless struggle for democracy*. Washington: Freedom House.
3. Bermeo, N. (2016): "On Democratic Backsliding" *Journal of Democracy*, 27 (1): p. 5.
4. Bermeo, N. (2016): "On Democratic Backsliding" *Journal of Democracy*, 27 (1): p. 8.
5. Lürhman, A., Lindberg, S. (2019): "A third wave of autocratization is here: what is new about it?" *Democratization*, 26(3): p. 1102.
6. The first wave, occurring between 1922 and 1942, affected both democracies and autocracies, while the second period, between 1960 and 1975, mostly saw the state of democracy worsen in autocracies and hybrid regimes.
7. Ibid: pp. 1103- 1104.
8. Bermeo, N. (2016): "On Democratic Backsliding" *Journal of Democracy*, 27 (1): p. 11
9. Puddinton, A. (2018): "Authoritarian Internationalism for the 21st Century" In: *Will human rights survive illiberal democracy?* Muis, A., Troosy, L. van (eds.), pp. 15- 23. Amsterdam: Amnesty International Netherlands: p. 15
10. Center for the Study of Democracy (2021) *Capture Proofing Media in Southeast Europe*, Sofia: Center for the Study of Democracy.
11. Filipova, R. et al. (2021) *Tackling Kremlin's Media Capture in South-east Europe*, Sofia: Center for the Study of Democracy.
12. See: Dragomir, M. (2019) *Media Capture in Europe*, Prague: Media development investment fund: pp. 20- 21, which cites several articles with specific examples; and the chapters on *Ostro* and *Atlatzo Erdely* included in this volume.
13. Zakaria, F. (1997): "The Rise of Illiberal Democracy" *Foreign Affairs*, 76(6), pp. 22- 23.
14. Human Rights House Foundation (ed.) (2017): *Resisting ill democracies in Europe. Understanding the playbook of illiberal governments to better resist them: A case-study of Croatia, Hungary, Poland and Serbia*: p. 6.
15. Human Rights House Foundation (ed.) (2017): *Resisting ill democracies in Europe. Understanding the playbook of illiberal governments to better resist them: A case-study of Croatia, Hungary, Poland and Serbia*: p. 9
16. Van der Borg, C., and Terwindt, C. (2014) *NGOs under Pressure in Partial Democracies*. London: Palgrave Macmillan, p. 44.
17. Dragomir, M. (2019) *Media Capture in Europe*, Prague: Media development investment fund: p. 1.
18. Ibid: p. 23.
19. See for instance:
 - Firmin, A. (2016): *Enabling Environment National Assessments: Civil Society Response Strategies*. Johannesburg: Civicus;
 - Goris, Y. (2017): *Activism, Artivism and Beyond: inspiring initiatives of civic power*. Amsterdam: Partos;
 - Human Rights House Foundation (ed.) (2017): *Resisting ill democracies in Europe. Understanding the playbook of illiberal governments to better resist them: A case-study of Croatia, Hungary, Poland and Serbia*, which contains an overview of the 'playbook' of illiberal governments as well as a 'toolbox for civil society'; and
 - Andy Baker et al. (2017): "Maintaining Civic Space in Backsliding Regimes" *Research and Innovations Grants Working Paper Series*. Boulder: University of Colorado.
20. Firmin, A. (2016): *Enabling Environment National Assessments: Civil Society Response Strategies*. Johannesburg: Civicus: pp. 8- 9.
21. See:
 - Buyse, A. (2018) "Squeezing civic space: restrictions on civil society organizations and the linkages with human rights," *The International Journal of Human Rights*, 22(8): p. 974; and
 - Van der Borg, C., and Terwindt, C. (2014) *NGOs under Pressure in Partial Democracies*. London: Palgrave Macmillan: p. 8.
22. Independent Association of Journalists of Serbia (IAJS) (2017, 31 March); as translated and cited in: Milojevic, A., and Krstic, A. (2018) "Hierarchy of influences on transitional journalism- Corrupting relationships between political, economic and media elites," *European Journal of Communication*, 33(1): p. 37.

Case 1 A Tale of Many Towns: How a Hungarian Watchdog NGO Widens its Outreach

News organizations in Hungary work in a captured media environment. Significant groups of society are not exposed to independent information since pro-government media companies have near monopoly on numerous segments of the media market. Atlatzso, Hungary's first investigative journalism non-profit, launched a project to address this issue, and even though there are still many challenges to resolve, they have been successful in reaching audiences from Hungarian rural communities.

I. The lay of the land: media capture in Hungary

In this section, we are giving a brief overview of the situation with regards to media freedom in Hungary focusing on the re-structuring of the field by the Hungarian government from 2010.

The Hungarian media market may seem vibrant and diverse at first glance: there are many news portals, TV channels, radio stations, daily and weekly newspapers. But fundamental problems become obvious when taking a closer look. Ever since Fidesz, a right-wing party led by Viktor Orban, won the elections in coalition with the minor Christian Democrat party, KDNP by a landslide in 2010 and obtained supermajority in the Hungarian Parliament, the government has been trying to insert control on independent institutions and strengthen its grip on the media.

In these ten years, Hungary has become a textbook case of media capture, a situation "in which the media have not succeeded in becoming autonomous in manifesting a will of their own, nor able to exercise their main function, notably of informing people. Instead, they have persisted in an intermediate state, with vested interests, and not just the government, using them for other purposes."¹ According to Dragomir, media capture has four components: regulatory capture, ownership takeover, use of state financing as a control tool, and control of public service media.²

Regulatory capture

The National Media and Infocommunications Authority (NMIA), the current main regulatory body, was established in Hungary in 2010. Its power includes issuing fines on media organizations, merger/acquisition approvals, licensing and frequency allocation. Even though the law guarantees the independence of its decision-making body, the composition of the Media Authority and the Media Council depends on the parliament's will in which the current government holds a two-third majority. Currently all five members of the Media Council were nominated and elected by Fidesz for nine-year terms.³ Consequently, the regulatory authority is loyal to the government, and often interprets the media law in an arbitrary manner.

The decisions of NMIA and the Competition Office, another government body, tend to reward government allies while squeezing others. A series of pro-government decisions led to the complete transformation of the radio market and the outdoor advertising market.⁴ The Media Council which is entitled by law to intervene in acquisition or merging procedures of media companies, prevented the merger of RTL Klub (the biggest national commercial television channel) and digital company Central Media that publishes 24.hu, an independent news portal. However, the same Media Council didn't intervene when in 2018 the so-called Central European Press and Media Foundation (KESMA) was created, merging a total of almost 500 outlets through donations from owners of the biggest pro-government media organizations.⁵

Ownership takeover

Before 2010, foreign ownership of media companies was significant in Hungary. However, once the legal framework was introduced and the control over public service media was complete, the government and its allies started to focus on privately owned outlets. Over the course of only a few years, "various acquisitions, mergers, shutdowns and takeovers were realized using customized market regulations; drawing on the assistance of the media and competition authorities; adopting new laws, negotiations with high profile foreign officials, and the use of frontmen to conceal the identity of the real owners."⁶

Owners were often bought out with the help of generous loans from state-controlled banks.⁷ Mediaworks, one of the largest publishers was purchased by an Austrian businessperson with close ties to the Hungarian government. Nepszabadsag, a critical political daily with the largest audience in Hungary was quickly shut down. Soon after, the publisher was taken over by Lorinc Meszaros, the childhood friend of Prime Minister Orban, whose media empire already included various newspapers, radio and tv stations.

The government had an eye on the local media as well. Hungary is divided into 19 counties, and every county but one has had its traditional daily for decades. Different, mostly foreign publishers owned these papers, the German Axel Springer holding being the biggest player.

In each of the counties, these local newspapers were the biggest players on the media market: they reached 15-20 times more people locally than the biggest national political dailies.⁸ In 2016, the combined number of sold copies of all local dailies was four times higher than the number of sold copies of the most popular national newspaper, Blikk, a tabloid.⁹ Government-friendly oligarchs bought out the regional papers' publishers step-by-step. Finally, in November 2018, together with almost all pro-government news channels, news portals, tabloid and sports newspapers, radio stations, numerous magazines, all of Hungary's local newspapers and their news portals were donated to the newly created KESMA conglomerate for free. This prompted the European Centre for Press and Media Freedom to issue a press release stating that "media freedom in Hungary is no more."¹⁰

State financing as control tool

At the same time, news organizations not belonging to this conglomerate came under growing financial pressure due to the distorted advertising market. The state is the largest advertising spender in the country with a budget of €265 million, 79 percent of which landed at pro-government media companies¹¹ in 2019. In addition, editors of independent media outlets often state that even private companies are reluctant to advertise in certain newspapers or on certain portals, fearing a backlash from the government.¹² According to calculations, pro-government media companies received 33 percent of the total advertising spend in 2019.¹³ Considering the remaining 67 percent includes giants such as Google and Facebook, clearly non-pro-government media companies are extremely hard to sustain financially.

On a more hopeful note, the year 2020 did bring about the rise of crowdfunding in Hungary: as a reaction to the distorted media market and the government's growing appetite for control over the media, many independent outlets started to turn to their audience for financial support in the form of donations, memberships and

even subscriptions. How successful they will be in the mid-run is up in the air.

Control of public service media

Meanwhile the government continues to pour money into the public service media. Since Fidesz came into power, the public service broadcaster has been reorganized multiple times: the tv, the radio and the news agency were merged into a state-run holding which received a total amount of HUF 83.2bn HUF (€270m) from the state budget in 2019, according to a local think tank, Mertek Media Monitor.¹⁴

At the same time political influence dominates its content as well: the public broadcaster heavily favors the governing party and is an active participant in its disinformation and propaganda campaigns.¹⁵ As Gabor Polyak writes, the "Hungarian public service media in its present form is not suitable for providing 'comprehensive media services in the social and cultural sense, striving to address various levels of society and culturally distinct groups and individuals to the extent possible'."¹⁶

MTVA also takes its part in the various smear campaigns targeting critical journalists and newspapers, which are labelled "fake news factories".¹⁷

Restrictions on journalistic work

Besides all the above-mentioned aspects of media capture, the Hungarian government and its allies make the practice of journalism difficult by restricting access to public information: authorities rarely respond to journalists' questions or information requests, press conferences of the government and state bodies are often closed or questions are banned. Some outlets and journalists are excluded from press conferences and public events. As defamation is criminal in Hungary, some politicians and businesspeople have a fondness for suing journalists. In the meantime, pro-government media often engages in smear campaigns to discredit and threaten critical journalists. Consequently, many reports to have experienced some level of self-censorship.¹⁸

Exposure to and trust in news

As a result, "Hungary today can no longer be regarded as a democracy but belongs to the growing group of hybrid regimes, sitting in the "gray zone" between democracies and pure autocracies," according to the Nations in Transit report¹⁹ by the Freedom House, a U.S.-based non-profit NGO. Critical media organizations struggle to survive financially and mentally, while the level of trust in media is among the lowest in Europe. As the Reuters Institute Digital News Report 2020²⁰ found, only 27 percent of Hungarians trust news in general.

In this captured environment, with near monopoly of pro-government media on numerous segments of the market (radio, regional newspapers, outdoor advertising) and governmental control of the public service media, large groups of society are only exposed to pro-government media unless they actively search for independent news. One of the most important consequences of the government's attacks on media freedom is the polarization of the public discourse, and the lack of access to information for many. Lack of access to non-governmental information is most acute in segments of society with lower levels of education and income who live outside Budapest and are older. Though there is free press operating in Hungary, people's right to information that is key to make informed decisions, including political decisions, is severely limited in the current context.

In the next sections, we will introduce Atlatszo, an initiative that has been fighting the above tendencies for ten years.



II. Atlatszo - a case study²¹

Atlatszo is a Hungarian watchdog NGO. It was founded in 2011 by investigative journalist Tamas Bodoky. Having been a seasoned journalist at Hungary's leading online news portal at the time, Bodoky had first-hand experience with the political and financial pressure stemming from murky ownership on the Hungarian media market. He summoned an organization together with lawyers and tech developers committed to the ideals of transparency and accountability. Though it changed considerably, in its 10th year Atlatszo is still one of the main watchdogs in Hungary. With 400-500K visitors per month, it is a success story in many aspects: from its conception, it broke stories of corruption and wrongdoings, including stories that spurred OLAF-investigations²² and criminal convictions²³, won prestigious awards²⁴; won strategically important legal cases related to freedom of information²⁵ and source protection²⁶; developed and popularized applications to engage journalists and citizens in FOIA-requests; and has been a pioneer in establishing a successful crowdfunding model. It pledged to an ideologically neutral role, investigating corruption regardless of political leanings.

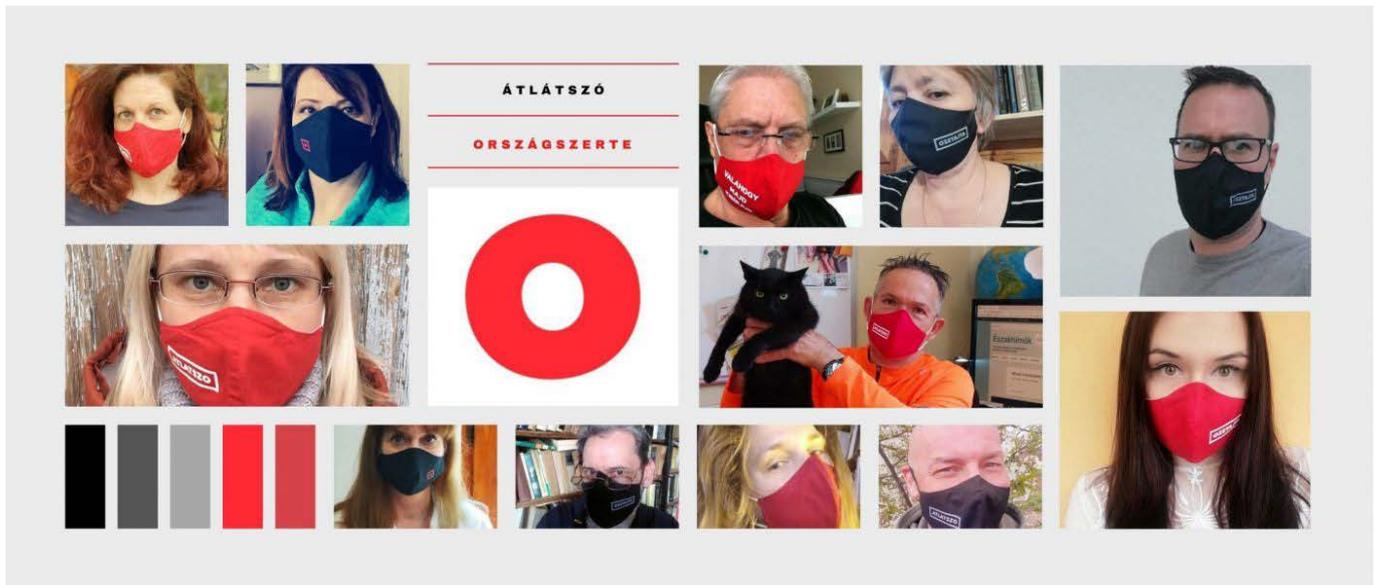
Atlatszo has changed over the years, investigative journalism is its the primary focus these days. Legal work and technology development support the journalistic line of work, they are not goals on their own. This is due mostly to changes in personnel, and also to rationalization of resources.

Profile and main activities

According to Tamas Bodoky, co-founder and Editor-in-Chief of Atlatszo, Atlatszo has a particular role within the Hungarian media ecology: as an independent outlet, they cover stories and follow leads that other journalists (for the political and financial pressures mentioned above), are not able to. They do not take part in the news competition, they specialize instead in stories that require their own research, mostly on corruption and wrongdoings of those in power, and environmental damage. Their stories are often picked up by other, significantly bigger outlets which multiplies their impact.

Tamas Bodoky puts emphasis on Atlatszo's ideological neutrality. His understanding of neutrality is that of the watchdog: investigating wrongdoings and corruption regardless of political or ideological stance. Especially in the highly polarized Hungarian environment, this is easier said than done. The government and pro-government media actively and explicitly try to depict critical media as the political enemy, attributing political motivations and hence neutralize criticism. Resisting the assumed role is crucial, as part of Atlatszo's audience is at least as critical of the opposition parties and politicians as of the governing elite. On the other hand, as those in power have more opportunities at corruption, stories related to these wrongdoings dominate Atlatszo's work. To preserve their focus and the ideologically mixed audience, it is important to "stay away from so-called rubber bones (...), and not act on ideological provocations, not fall into agenda setting attempts (by the government)" - says Tamas Bodoky, referring to politicians' attacks on liberal values (such as recent events of book burnings) which serve as diversions to cover corruption and misgovernance.

Besides their investigative journalism branch, Atlatszo's profile includes activism. This line of work focuses on transparency and accountability, and includes two sets of activities: the testing and improvement of legal environment through strategic litigation (FOIA-cases, cases on source protection etc.); and the popularization of the watchdog role of citizens. The latter is done by engaging and involving the audience in public information requests (including the platform Kimittud -'WhoKnowsWhat') which allows citizens to submit anonymous public information requests, and by encouraging whistleblowing with the help of a platform developed by Atlatszo which makes leaking of public interest information safe (MagyarLeaks). The FOIA request page, which was launched in 2012, has been highly successful with over 15,000 requests submitted by journalists and citizens since its initiation. Both platforms were introduced with campaigns and trainings to educate citizens and journalists of their importance and use. Besides the number of requests submitted, the impact of Atlatszo's efforts to advance watchdog activities and attitudes is visible from the growing number of information request cases opened by members of local councils, municipalities and ordinary citizens. "Many of what was a novelty 10 years ago,



became common by now. For example, representatives of local municipalities investigate issues, and there are quite a few watchdog organizations.” (Tamas Bodoky).

In addition to Kimittud and MagyarLeaks, Atlatzso has a searchable investigative toolkit, Tooltarto (‘Toolkeeper’): a collection of tools and databases journalists or citizens may use to conduct investigations; a media literacy tool, Alhírvadász (‘FakenewsHunter’) which tests the users’ ability to distinguish fake news from news.

All of the above is achieved with a team that includes six journalists, a management and finance team, two lawyers, 30-40 freelancers and volunteers. They employ eight people full-time, some members of the team are on part-time contracts, freelancers who work for honoraria, volunteers, or subcontractors. Their activities are supervised by a Board of Supervisors.

Atlatzso is very open to innovations and has been a pioneer on the Hungarian market to experiment with the independent journalism NGO model, crowdfunding (since 2011), and creative use of technology (drones, for example). They also started publishing documents on which they build their investigative articles: to exercise what they preach, transparency.

Atlatzso may have been the first of its kind on the Hungarian market, but they learnt from many, including the Organized Crime and Corruption Reporting Project (OCCRP), RISE and others.

Atlatzso’s operation: the sustainability question²⁷

Krisztina Zala and Tamas Bodoky point out that ideological independence would be difficult to maintain without a sustainable funding model. Atlatzso does not accept money from Hungarian state institutions or political parties. Microdonations from more than

3000 individual supporters, and personal income tax 1 percents constitutes over 60% of their budget²⁸. Atlatzso has a strong presence in the competition for citizens’ 1 percent income tax (which every taxpayer is entitled to designate to the NGO of his/her choice): Atlatzso is among the 50 most supported NGOs in Hungary. Crowdfunding (including donations and the 1 percent tax designations) supports most of Atlatzso’s operations, and also provides them with legitimacy and independence to carry out their mission. The rest of the budget is from international donors, typically tied to projects.

Though many suspected otherwise, the support Atlatzso is receiving from readers does not seem to be affected by the recent wave of Hungarian media outlets turning to audiences for financial support (see the introduction). Atlatzso is constantly working on ways to turn its readers into (micro)donors (according to Krisztina Zala, currently one percent of Atlatzso’s readers contribute financially), but they are set on keeping their content available for everyone. “This is out of principle: we don’t want to restrict access,” says Tamas Bodoky. According to Krisztina Zala, “introducing a paywall would be like introducing a census on access to information. Without a well-functioning public service media the paywall system is undemocratic and even further increases polarization and filter bubbles”.

Outreach

Outreach and engagement are the cornerstones of Atlatzso’s activities: they are the means and (one of the) end(s). These activities in a highly polarized media environment, where large parts of the population are kept on a restricted diet of pro-government news (see our introduction) are critically important and highly challenging.

Since the aim of Atlatzso is to cover stories of corruption that other outlets would not, and making these stories

known to the public, they welcome when their stories get picked up by other media outlets with much bigger audience reach “so they basically reach the news consumers in the entire country” (Bodoky). On the other hand, their brand is a crucial element in their campaigns for donations so building and maintaining their brand is of high importance: more pickups of Atlatzso’s stories by other outlets do not result in more incoming donations, but bigger readership does: getting the audience to read the stories on their website is an important step in increasing their donor base. In their experience, “big stories are rewarded by the audience” (Krisztina Zala): they observe a bump in readership and in donations when they publish a story that is well done and resonates with people. A recent example of a ‘big hit’ is a story on the Hungarian Minister of Foreign Affairs, Peter Szijjarto, who made extensive use of a private yacht²⁹ of a businessman who regularly wins public tenders. The story reached countless people, was picked up by all non-government media, and brought a lot of new supporters.

As said earlier, Atlatzso’s stories are often featured in other media. This does not include the large group of government-aligned media though: these outlets ignore their stories. The only time pro-government media features Atlatzso is when they run smear campaigns³⁰ to discredit the journalists.

Partnerships with critical media outlets is always considered, the issue is usually exclusivity: for branding purposes, Atlatzso does not want to give up the right to publish the stories on their own website. Still, some partnerships are forming: in November 2020, the conservative weekly, Magyar Hang started featuring a monthly Atlatzso section.

The Nyomtassteis (‘PrintItYourself’) initiative³¹ which born out of the realization that online media does not fill the hole left by the pro-governmental capture of traditional media in small settlements, aims at distributing information in print format to populations underserved by independent media, mostly villages. Their weekly newsletter, edited, printed and distributed by volunteers which contain fact-based news that is left out from pro-government media includes Atlatzso stories in its print-out (but so far there is no information on the impact of this initiative).

Social media platforms are also important channels for Atlatzso to reach the public. Of these Facebook is the most significant as Atlatzso has over 110,500 likes on their page and most traffic to Atlatzso’s site comes from there. Similarly to the case of mainstream media picking up Atlatzso’s stories, this success poses some challenges: how to make sure those whom they reach on Facebook eventually become readers of the Atlatzso site, and even more importantly, become active supporters: “we had articles that were shared in a surreal number on Facebook but were read by very few. People simply shared them without opening and reading the article (...) This is particularly problematic as in these



cases our request for support has no chance of reaching them” says Krisztina Zala. Reliance on Facebook comes with other, well-known challenges: with Facebook’s ever-changing algorithm, it is difficult to build strategies. Over the years Facebook significantly decreased the reach of news outlets which hurt Atlatzso, but targeted advertising on Facebook seems to work well and is appreciated by Atlatzso.

As it has been stated earlier, outreach is of key importance to Atlatzso: both for impact, and for creating a committed supporter base. A different aspect of outreach, however, is also a priority for the team: reaching audiences beyond their “natural” base: Atlatzso’s audience is typically educated, well-established, and lives in cities. Both for Atlatzso’s mission of providing crucial information to citizens about those in position of power, for the principle of decreasing polarization and fragmentation of society, and for increasing the base of their supporters, it is desirable to widen their reach, especially to those living in outside Budapest. Interestingly, the Hungarian pro-government forces’ near monopoly on the non-digital media market in the countryside may just provide Atlatzso not only with the motivation, but also with the opportunity to break out of the bubble. In the next section we are introducing and analyzing Atlatzso’s project, Orszagszerte (‘all over the country’) that aims to cover local stories both for the local and the national audience, and to bring people from outside Budapest to Atlatzso.

III. The Orszagszerte project

When government-friendly oligarchs obtained most of local media in 2017, Atlatzso decided to launch a new project called Orszagszerte, aimed at covering stories in the countryside that are not picked up by national media, “journalists working for national papers are reluctant to cover them, even though these are the ones that are important locally,” Tamas Bodoky explains. The pilot project was funded by a grant from Open Society

Foundations to uncover local corruption cases, Krisztina Zala recalls. Their aim has always been both to fill the niche of covering wrongdoings on local levels, making an impact locally and bringing attention to these cases nationally, and to extend *Atlatzso*'s reach to groups that they have no access to with their usual methods.

Atlatzso started to recruit local reporters with an aim to have at least one in every county³². After the takeover of the local newspapers, many journalists were fired, however, most of them either left the field or joined other newly launched media outlets, therefore, *Atlatzso* didn't manage to recruit a reporter in each county. Still, reporters do not cover bigger geographical scopes: as Krisztina Zala explains, reporters are often reluctant to go to another county and cover a story there, as they often have contacts within their counties only.

Finally, the project started with 25-30 authors: some of them had a background in journalism, but some came from other fields and wrote stories "on the side" while having another job. *Atlatzso* provided trainings to reporters on journalistic tools and security, among others, and then the stories started coming in.

The original assumption was that more stories from the countryside would result in more local readers. According to Krisztina Zala, *Atlatzso*, with the help of a professional polling company, conducts polls among its readers once a year, and these polls verified the assumption. Now, half of *Atlatzso*'s audience comes from the countryside.

The pilot project lasted a year. As it was highly successful, as Tamas Bodoky explains, they decided to continue and cover the expenses from crowdfunding. Since March 2020, the project has an editor, Eszter Katus, who lives in a small town, Komló. Previously, she had worked for one of the local outlets, *Dunantuli Naplo*, that became part of the KESMA empire.

Eszter is a full-time employee now, but the reporters are not. They are freelancers paid for the articles. Besides the honorarium, *Atlatzso* covers the costs related to their reporting (travel costs, access fees etc.) and provides legal support when needed, including requests for property registration documents and company data.

What these local reporters bring to *Atlatzso* is local knowledge and embeddedness: they find the stories, Eszter Katus says, though scoops are also coming from the audience from time to time.

Also, a local reporter has an easier job when it comes to asking question from politicians or authorities. According to Tamas Bodoky, on the national level it is always a problem to get answers from authorities and government politicians, but on the local level, officials and politicians are more willing to talk to local journalists. Furthermore, institutions also reply faster, Eszter Katus adds, and they keep deadlines when the reporters submit data requests.

This doesn't mean, of course, that they don't have to face serious challenges. The biggest one, according to Eszter Katus, is that in almost every county it is still the local print daily that counts as "The Newspaper", and it is difficult to compete with the embeddedness of these outlets.

Especially because many of the reporters who started *Orszagszerte* quit already. New portals were launched in some regions, and some of *Atlatzso*'s reporters joined them, because they offered stability that *Atlatzso* could not. As Eszter Katus says, "it is difficult to earn a living as a freelancer here": one should produce 4-6 serious articles per month, which is not realistic.

Also, for a few stories in a month it may not be worth for a reporter to have their name associated with *Atlatzso*, a frequent target of the government's smear campaigns, Krisztina Zala adds. If working for this outlet, the reporters are labelled, and may be subject to attacks, as it has recently happened with one of their correspondents in Göd, a small town near Budapest who was attacked in the local newspaper as well as on leaflets for her reporting on local stories.³³

Such attacks can easily discourage reporters, especially those who have another, permanent job that might be in jeopardy, especially if the local municipality is the employer. There were some who tried to work under a ghost name, but it doesn't work, says Krisztina Zala. *Atlatzso* is not able to offer full salaries or employment status for the correspondents, so they need extra income, which means that they don't always have the capacity to cover a story. Being an investigative journalist comes with another challenge: some journalists often feel that their stories have no impact at all, nothing happens when they uncover corruption cases, and it can easily lead to burnout.

This all resulted in a sharp decrease in the number of reporters: there are only ten journalists writing for *Orszagszerte* now, so some counties are not covered at all. Nevertheless, this may change very soon, as *Atlatzso* just launched a campaign on its website and Facebook page to recruit more local reporters. As Eszter Katus proudly says, they had four applications on the first day already. People have various motivations to apply: some are happy to have extra income, for others it would be prestigious to work for *Atlatzso*, or are interested in the potential impact their articles may have by publishing them with *Atlatzso*.

As to the potential of *Orszagszerte* to reach audiences otherwise inaccessible to *Atlatzso*, Krisztina Zala mentions a demographic of particular interest: the young, local audiences that are unhappy about the way their towns are run. There are signs that *Orszagszerte* is more successful in this than previous efforts. Its audience has been growing constantly since the first year. This year they had around 150,000 unique visitors, which is one third of the total readership of all blogs on *Atlatzso*. And the real numbers are even higher, Krisztina Zala

emphasizes, because the bigger stories were published on Atlatzo's frontpage, thus their visitors are counted elsewhere.

Success is not only measured by the number of visitors or shares on Facebook. It is even more important how many other outlets pick up local stories and write about them referring to Atlatzo. "This is how you reach large audiences," Eszter Katus points out, adding that it's a huge boost when mainstream outlets like the national television RTL Klub or Telex.hu, an online news portal pick up the stories.

But national outlets are not always needed for local impact. Eszter Katus encounters stories in Orszagszerte, that lead to representatives of the municipality being stopped on the streets by locals to ask about. Tamas Bodoky mentions some remarkable statistics as well: in counties which were extensively covered by Atlatzo, candidates of the opposition won in the 2019 municipal elections in a higher ratio than the national average.

There are many stories that may not be visible from the capital but have a blast on local level. Krisztina Zala recalls one of the biggest and most impactful stories Atlatzo has ever covered: the Elios scandal³⁴, which started as a series of several small, local stories of corruption, then added up to be a huge national story resulting in an investigation by OLAF, the European Union's body mandated to detect, investigate and stop fraud with EU funds.³⁵

Such powerful stories always have bigger impact and larger outreach, so Eszter Katus often doesn't wait for other news organizations to find them on Atlatzo's platforms, but proactively reaches out to encourage those other outlets to pick them up.

The success prompted Atlatzo's and Orszagszerte's leaders to think about the next steps. It has always been among their plans to cooperate more directly with small, independent local portals, but as soon as they looked at them more closely, they discovered that "there are political parties behind most of them," Eszter Katus says. Local portals also think of Atlatzo as a competitor, Krisztina Zala adds, fearing to lose readers if the stories are published on Atlatzo as well. Cooperation is an important element of the plan to take Orszagszerte to the next level.

The overall aim of all these efforts is to convert those who read Atlatzo's story in other outlets into regular readers. The staff strongly believes that there is a local, middle class, young, educated audience that could be converted. They hope that this audience will start reading Atlatzo by reading Orszagszerte, then become regular readers and then finally, donors, thus helping to fulfill the organization's mission: uncovering corruption and holding the powerful to account.

Whether Atlatzo's attempt with Orszagszerte to bridge the gap in people's access to information by bringing local news to the national audience and vice versa proves to be successful, is still up in the air. As Atlatzo has been a pioneer in many aspects before, this initiative may be followed by many who learn from the lessons and may make a difference on a larger scale.

Notes

1. Mungiu-Pippidi, Alina (2012): "Freedom without Impartiality. The vicious Circle of Media Capture", in Gross, Peter & Jakubowicz, Karol (eds.): "Media Transformations in the PostCommunist World", Lexington Books, UK, pp. 33-47.
2. Dragomir, Marius (2019): "Media Capture in Europe". Available online: <https://www.mdif.org/wp-content/uploads/2019/07/MDIF-Report-Media-Capture-in-Europe.pdf>
3. Bátorfy, Attila; Hammer, Ferenc; Galambosi, Eszter: "Monitoring Media Pluralism in the Digital Era: Application of the Media Pluralism Monitor in the European Union, Albania and Turkey in the years 2018-2019. Country report: Hungary". Available online: https://cadmus.eui.eu/bitstream/handle/1814/67805/hungary_results_mpm_2020_cmpf.pdf?sequence=1&isAllowed=y
4. Bátorfy, Attila (2019): "Hungary: A Country on the Path towards an Authoritarian Media System", in Giannokopoulos, Angelos (ed): "Media, Freedom of Speech, and Democracy in the EU and Beyond", available online: https://dcenter.tau.ac.il/sites/abraham.tau.ac.il/files/Media,%20Freedom%20of%20Speech%20Text_0.pdf
5. Ibid.
6. Bátorfy, Attila (2020): "The Past Ten Years of the Hungarian Media", available online: <https://atlo.team/media2020/>
7. Dragomir (2019) *ibid.*
8. Zöldi, László (2001): "A globális sajtó" (*The glocal press*). Médiakutató, available online: https://www.mediakutato.hu/cikk/2001_04_tel/10_glokalis_sajto/
9. Janecskó, Katalin; Szémán, Tamás (2016): "A médiaháború egyik legfontosabb terepe számokban" (*One of the most important battlegrounds of the media war in numbers*). Index, available online: https://index.hu/kultur/2016/11/21/megyei_lapok_videki_lappiac_atalakulasa/
10. "Media Freedom in Hungary Is No More". Press release, available online: <https://mailchi.mp/ecpmf/press-release-media-freedom-in-hungary-is-no-more>
11. Bátorfy, Attila (2020): "The Past Ten Years of the Hungarian Media", available online: <https://atlo.team/media2020/>
12. Ozsvath, Stephan (2020): "Ausländische Unternehmen werben lieber in staatsnahen Medien" (*Foreign companies prefer to advertise in state-aligned media*), Deutschlandfunk, available online: https://www.deutschlandfunk.de/kritik-aus-ungarn-auslaendische-unternehmen-werben-lieber.2907.de.html?dram:article_id=484676
13. „Kormányközeli cégeknél landol a magyar reklámpénzek harmada,” (One third of ad spend in Hungary ends up at companies close to the government), G7, October 15, 2020, available online: <https://g7.hu/vallalat/20201015/kormanykozeli-cegeknel-landol-a-magyar-reklampenzek-harmada/>
14. "Funding for public service media in Hungary - a form of unlawful state aid?" Mertek Media Monitor, available online: <https://mertek.eu/en/2019/01/09/funding-for-public-service-media-in-hungary-a-form-of-unlawful-state-aid/>
15. Szicherle, Patrik (2018): "Hogyan küzdjünk a dezinformáció ellen?" (*How to counter misinformation?*), Political Capital, available online at https://www.politicalcapital.hu/pc-admin/source/documents/dezinfo_guide_tanulmany_20181126.pdf
16. Polyák, Gábor (2019): "Media in Hungary: Three Pillars of an Illiberal Democracy", in Polonska, Eva; Beckett, Charlie (eds.): "Public Service Broadcasting and Media Systems in Troubled European Democracies". Available online at https://www.researchgate.net/publication/330378386_Media_in_Hungary_Three_Pillars_of_an_Illiberal_Democracy
17. "Real Answers" Documentary, available online at <https://www.youtube.com/watch?v=uOAqkmFyD1Q>
18. See more in "Conclusions of the Joint International Press Freedom Mission to Hungary," available online: https://www.freepressunlimited.org/sites/freepressunlimited.org/files/image_newsarticle/europa/hungary_conclusions_-_international_mission.pdf
19. Filippov, Gábor (2020): "Nations in Transit 2020 - Hungary". Freedom House, available online <https://freedomhouse.org/country/hungary/nations-transit/2020>
20. Reuters Institute Digital News Report 2020. Available online: https://reutersinstitute.politics.ox.ac.uk/sites/default/files/2020-06/DNR_2020_FINAL.pdf
21. The case study is based on desk research and three in-depth interviews conducted in October 2020 with Tamas Bodoky (co-founder, Editor-in-chief), Krisztina Zala (Financial Director) and Eszter Katus (editor) (Atlatzso).
22. "EU's Anti-Fraud Unit Investigates Corruption Case Revealed by atlatzso.hu", Atlatzso, June 5th, 2015, available online: <https://english.atlatzso.hu/2015/06/05/eus-anti-fraud-unit-investigates-corruption-case-revealed-by-atlatzso/>
23. "Former MVM CEO sentenced to five years in jail; lost taxpayer money will be hard to recover," Atlatzso, March 14th, 2019, available online: <https://english.atlatzso.hu/2019/03/14/former-mvm-ceo-sentenced-to-five-years-in-jail-lost-taxpayer-money-will-be-hard-to-recover/>
24. "Atlatzso.hu awarded Pulitzer Memorial Award for quality journalism," Atlatzso, April 5th, 2016, available online: <https://english.atlatzso.hu/2016/04/05/atlatzso-hu-awarded-pulitzer-memorial-award-for-quality-journalism/>
25. "Freedom of information in court: the Register of Atlatzso's Proceedings gets off to a flying start," Atlatzso, August 23rd, 2013, available online: <https://atlatzso.hu/2013/08/23/freedom-of-information-in-court-the-register-of-atlatzso-proceedings-gets-off-to-a-flying-start/>
26. "Constitutional Court decided in favour of journalistic source protection," Atlatzso, December 20th, 2011, available online: <https://atlatzso.hu/2011/12/20/constitutional-court-decided-in-favour-of-journalistic-source-protection/>
27. Atlatzso's website consists of the main page where their biggest stories are published; a blog which carries most of their content, including thematic blogs such as the Datajournalism blog; a tools section with the aforementioned applications and tools; a data section that supports the biggest investigative topics; and a section where series of articles on similar topics are gathered in files. They also host blogs of partner organizations and thematic or local "spinoffs" of Atlatzso (such as Atlatzso Education or Atlatzso Transylvania). They are present on social media (Facebook, Twitter, Instagram, Vimeo, Soundcloud) of which Facebook is the most significant. They have over 110,500 followers on their main Facebook page. A Hungarian and an English-language newsletter is also available upon free subscription. The website has a donation page, and a page for Atlatzso's annual reports, including information on their main sources of income and expenditure. Atlatzso is a not-for-profit LTD and a foundation.
28. See the details of Atlatzso's budget at <https://english.atlatzso.hu/about-us-fundraising/>
29. See more at "Minister of Foreign Affairs Péter Szijjártó manages the crisis in Belarus on a luxury yacht in the Adriatic," Atlatzso, August 18th, 2020, available online: <https://english.atlatzso.hu/2020/08/18/foreign-minister-peter-szijarto-manages-the-crisis-in-belarus-on-a-luxury-yacht-in-the-adriatic/>
30. See for example Oroszi, Babett (2018): "A case study in Hungarian propaganda: this is how the pro-government media works if something awkward is revealed about PM Orban," Atlatzso, available online: <https://english.atlatzso.hu/2018/09/29/a-case-study-in-hungarian-propaganda-this-is-how-the-pro-government-media-works-if-something-awkward-is-revealed-about-pm-orban/>
31. See more about the initiative at <https://www.nyomtassteis.hu/about-us-2/>
32. Administratively, Hungary is divided into 19 counties, and the capital, Budapest.
33. See more in Katus, Eszter (2020): "Governing party organization launched smear campaign against local journalist", Atlatzso, available online: <https://english.atlatzso.hu/2020/09/28/governing-party-organization-launched-smear-campaign-against-local-journalist/>
34. The scandal, uncovered by Atlatzso, put Istvan Tiborcz, son-in-law of the Hungarian Prime Minister into spotlight, as corruption accusations were connected to the street light modernization program run by a company called Elios, which journalists tied to Tiborcz. See more in Oroszi, Babett (2018): "The story of how Orban's son-in-law became rich, told by seven major Atlatzso investigations", Atlatzso, available online: <https://english.atlatzso.hu/2018/02/16/the-story-of-how-orbans-son-in-law-became-rich-told-by-seven-major-atlatzso-investigations/>
35. See more in Carolan, Sinead (2018): "Hungary: Serious Irregularities in Public Lighting Contracts", *Organized Crime and Corruption Reporting Project*, available online: <https://www.occrp.org/en/daily/7498-hungary-serious-irregularities-in-public-lighting-contracts>

Case 2 Story ex machina: turning an attack into a gain

Introduction

The thriving civic space is essential for democratic progress, especially the countries in transition, such as Serbia. However, relevant studies¹ suggest that civic space has witnessed steady decline after the political shift in 2012, and especially after 2014 when the new political elites consolidated their power.² This case study outlines counter-strategies deployed by a pioneer investigative journalists civic media outlet, Crime and Corruption Reporting Network (KRIK)³ to respond to this decline and defend civic space.

KRIK

To that end, the case study is structured in three sections. The first section provides an overview of the overall media freedom context in Serbia with a special focus on the period between 2012 till present day. By using KRIK's work as a useful lens, the second section delves into the previously elucidated restrictions and the ways in which they hinder the work of journalists. The third section unfolds substantive elements of the strategy developed by KRIK. It ends with a set of recommendations that should help media outlets to increase their vigilance and creativity so as to protect their stories and their important place within the society. For the most part, the content of this case study is based on an interview with the KRIK's journalist conducted in February 2020.

1. Overall media freedom context

The EU accession process, initiated in 2008⁴ has created a strong impetus to adopt laws that safeguard media pluralism and independence. Despite this positive trend and well-established legislative framework in the context of the media freedom and the safety of journalists, international monitoring reports consistently indicate that these laws are not effectively implemented or enforced, leaving the media organizations and journalists vulnerable.⁵ This has wide-ranging implications for media pluralism and independence.

1.1. Economic instability

Media financing often lacks transparency, and politically tied funding further erodes media independence as well as public trust in or respect for media.⁶ As a result, non-partisan media often have very limited market and advertising share, thus lack financial resources and face various forms of direct and indirect pressure. This is particularly true for investigative journalists who often find themselves in a vulnerable financial position and operate under a diverse range of safety risks. These media outlets are often dependent on the project funding and thus produce project-based content, which potentially can have influence over their editorial policies. Nevertheless, they regularly break major stories related to high-level corruption and face harassment, threats, and smear campaigns, analysed later in more detail.⁷ One of these non-partisan media, KRIK has a pivotal place in this case study.⁸

1.2. Lack of diversity and critical reporting

A lack of quality journalism is a serious problem, since most actors that are part of the mainstream media are affiliated to the ruling party in some way, thus there is a little room for diverse perspectives and criticism. In addition, there is a tension between non-partisan and "pro-government" media. A growing number of "tabloid media", including a private broadcaster with national coverage, often participate in or initiate disinformation and smear campaigns against other journalists.⁹ These deeply problematic practices add fuel to the fire in respect to the media credibility and overall hostile media environment.

1.3. Safety risks in a nutshell

All these factors have had a markedly chilling effect in the country, resulting in widespread self-censorship, and increased number and brutality of the attacks against journalists and media in general. The assaults range from heinous and less-obvious forms of pressure to media outlets¹⁰, to open naming-shaming by the president and the ruling party¹¹ to setting arson in the house of an investigative journalist in 2018.¹² In the midst of the COVID-19 pandemic, a female journalist was detained after breaking out the story about the lack of adequate



medical protection equipment in hospital.¹³ In 2020, the Independent National Journalists' Association (NUNS) has continually monitored and recorded safety incidents since 2008. In the last five years there has been a steady rise of assaults from 69 in 2016 to 189 in 2020 (32 physical assaults, assaults against property (14) or threats, death threats (1), pressure (92) and verbal threats (50).¹⁴

Drawing upon these insights, the wave of democratization and political change in Serbia in the last two decades has brought many changes and promises of greater media freedom, increased diversity and media plurality. However, it has proved to be hard to break with practices left from the authoritarian regimes that are today equally present and adverse as in the past. As a result, despite greater freedom and higher number of the media, journalists are experiencing different ways of control and the main political parties sometimes use different means to lash out to domestic critics, including KRIK that as the following part shows is an indicative example of a rapid decline of civic space.

2. Challenges of shrinking civic space

The worsening of the larger political environment, described in the following paragraphs, has hindered media outlets from providing access to the information of public importance, but also reduced trust in the media's ability to represent and protect public interests. Using KRIK and its investigation into the shady investments of a

powerful politician as an illustration, this section provides an insight into evolution of restrictions on civic space, including the ways KRIK has sought to overcome them.

2.1. Unfolding the KRIK's story

In 2015 when a central story of this case study began, KRIK, a newly established investigative journalists' outlet, was set to explore and set up a database of the politicians' assets.¹⁵ One of the politicians whose assets were not publicly available before was one of the key figures of the ruling party, Siniša Mali. Back then, Mali sought an opportunity to become the first man of the capital, Belgrade, which he eventually succeeded, amidst the publication of the story. This investigation uncovered that Mali was involved in purchasing 24 apartments on the Bulgarian coast, which was then booming in the investments.

It was an idea of a KRIK awarded journalist, Dragana Pećo¹⁶ to put Mali's name in a search query in Orbis¹⁷, a global register of companies, and she got a hit—he was mentioned as a member of the boards of two Bulgarian companies, connected to other offshore businesses. These companies in Bulgaria were the key to this revelation and the only link between Mali and the story. But one was enough. With the help of their Bulgarian counterparts, Bivol¹⁸, also a member of the OCCPR,¹⁹ the story started to unfold. As a result of this investigation, KRIK determined that Mali was involved in purchasing 24 apartments on the Bulgarian coast, estimated to US\$ 6.1 million at that time.²⁰ This story "The Mayor's Hidden Property" is a part of the series of reports about Siniša Mali published within a short period of time. The second story, published a week after reveals

how his family managed to illegally obtain the land purchase an attractive piece of land near Belgrade²¹, and the third covers his role in helping his father “privatize” a public firm while he was working at the Agency for privatization.²²

2.2. KRIK’s administrative impediments

To collect data and fit the pieces of the story, KRIK had to obtain official information from the Bulgarian public registries as the main assets of Mali were in Bulgaria. As the following paragraphs illustrate, these tasks turned out to be challenging especially due to the potentially unlawful and chilling monitoring practices of the public administration.

According to KRIK²³, it was a hurdle in 2015, but it is equally difficult today to formulate the Freedom of Information Request (FOI) so to ensure that authorities cannot discover what they are working on. In the context of Serbia, this is especially relevant as public officials, on all levels are members of the ruling political party, and as such serve private–party interests rather than public. In addition, the government has initiated in 2018, a process to amend and, according to some actors²⁴, limit the scope of the FOI law, which is an additional sign of the fading civic space.²⁵ In the case of Bivol, the problem was that the state registry of companies in Bulgaria established a practice of mandatory registration. Essentially, this change enables them to track the activities in the registries. These problematic practices can impede the work of journalists, especially in the context investigative media outlets whose work often depend on unrestricted access to the public registries.

These forms of institutionalized surveillance could appear as a less-obvious restriction but can have equally profound repercussions and chill the speech. In relation to this point is the absence of lawsuits, which stands out as something that refers to the wider context of civic space. Namely, KRIK’s stories rarely result in court enquiries. In this particular case, the Anti-Corruption Agency and the Public Prosecutor formally initiated inquiries and soon after closed the case. In fact, after the KRIK broke out stories about Mali, he was promoted to a position of the Ministry of Finance.

2.3. KRIK and safety risks

As indicated in the previous section, media outlets and journalists in Serbia face a myriad of safety risks. The KRIK case is an illustrative example, as it demonstrates from a microscopic perspective, a variety of repressive measures that can obstruct and impede their work.

Starting from 2016, there were serious allegations that this media outlet was under most likely unlawful surveillance. Namely, a well-selling tabloid published on their front-page parts of the KRIK’s story that was not yet publicly available, word-by-word. The

tabloid used this story to “attack” KRIK by stating that they plan to launch a “dirty” campaign against the prime minister. Reacting to this event, the editor of KRIK stated: “The most problematic thing is that the Informer [*the pro-government tabloid that published the story*] had information that only someone who is systematically monitoring our work could have obtained. The real question in Serbia today is who is monitoring journalists?”²⁶ After filing charges against the Informer, the tabloid responded that they received this information from the State Security Agency (“BIA”)²⁷. Later, KRIK filed a complaint for illegal surveillance to the Ombudsman who recently stated that the case is still pending as BIA refuses to provide information concerning this incident.²⁸

In 2017²⁹, and again in 2019³⁰, the houses of two journalists were ransacked. In addition, in 2017, a female journalist was harassed on the social media platforms despite keeping her profile well hidden from the public.³¹ These cases were reported but are still in the investigation stage. KRIK also had to confront legal persecution, after publishing the Panama papers in 2018. A politician, whose business was mentioned in the story, filed multiple defamation charges against them, requesting around \$10,149 of compensation for each of the four articles. After a year, all of the cases were resolved in favour of KRIK, but these multiple court processes were time-consuming and required immense preparation.³² Their emails accounts, social media profiles and websites are regularly targeted. In 2020, their financial documentation was under revision of tax officers for a few times, a practice widely deployed across independent media outlets in the last few years.³³

Drawing upon these illustrations, it is clear that state restrictions that constrain civic space range from curtailing freedom of expression rights, including the right to access information to openly harassing and endangering the lives of journalists, but also failing to provide adequate protection in the cases of assaults. Taken together, this section demonstrates that increasing restrictions create an exceptionally cumbersome situation, the very antithesis of a free and vibrant media ecosystem. The following section unfolds KRIK’s ways to address these emerging challenges and implicitly shed more light on the existing tensions within the civic space.

3. The strategy: turning an attack into a gain

To overcome the noted tensions on civic space, KRIK developed a strategy that back then, came without prior planning and consideration. In that sense, it was an intuitive reaction to the events and assaults that followed publication of the story about Mali. To uncover substantive elements of this strategy, the following section is divided in three sections, zooming separately on pre-publication, publication and after-publication phase.

3.1. Pre-publication phase: a cross-border cooperation and digital independence

As noted, to produce and verify the initial findings, KRIK worked closely with Bivol. In fact, it was Bivol who was in charge of obtaining official documentations and translations. They also conducted interviews with the individuals involved in the real-estate transactions. During this two years long process, journalists from KRIK and Bivol met only once in person, where they puzzled together all the pieces of the story. Needless to say, this cooperation has turned into a friendship and mutual trust that continued to the present day.

The main concern in this phase was to prevent the story from leaking out during the period of research. To do so, it was essential to share documents and communicate via protected channels and to stay completely away from a "regular" means of communication. In that sense, consistent use of digital protection measures was the most important method to protect the story. Together with strong personal ties between KRIK and Bivol, digital protection has enabled these investigative media outlets to create a powerful network to oversee another network—of "shady businesses"—while holding those in power accountable.

3.2. Publication phase: a comprehensive fact-checking

After overcoming the administrative impediments and collecting necessary information, KRIK, with the help of Bivol carried out a crucial process—a comprehensive fact-checking. It was in reality a long lasting, often draining process where each word in the story, supporting documentation and official translations were almost frantically inspected. In this way, KRIK had ensured that the story could "bite a bullet" and that each fact was backed up with evidence. This process and continual cooperation with Bivol lasted for months and due to the well structured and secured communication, the story remained protected and was ready for publication. But, more importantly, as the following part indicates, this substantive fact-checking assured KRIK that regardless of the authorities reactions, the story could not be "squashed." As the following paragraphs indicate, it was in fact accuracy and credibility of the story that enabled KRIK to confront the authorities with such a strength and resilience.

3.3. Post-publication phase: turning an attack into a gain

It was 6.00 in the morning when the story was posted online on websites of KRIK and Bivol. The only preparation for an expected pushback of the authorities was—fact-checking. As the KRIK journalist stated during the interview: "we were just thinking about how to finish the story and put it online. We did not consider consequences and potential pressure." The story

immediately attracted public attention and the number of unique visitors was rising. At 15.00 there was the first official reaction from the Mali's press office, stating that the story was fabricated.

And then things started to unroll. The reactions of pro-government and often "tabloid media", as well as reactions and press statements of the authorities were coming as an avalanche. It lasted for days and it seemed like they were competing in trying to "ruin" the story and KRIK's reputation. To respond to this avalanche, KRIK seized every possible opportunity to counter the statements of the officials—they were publishing original documents, screenshots and other evidence they collected. According to KRIK, it felt like "you actually work all the time from the trench where they want to push you."

Thus, due to the restricted manoeuvre space for the media, KRIK had at their disposal limited means of communication with the public. Namely, besides posting information on their social media accounts, especially Twitter proved to be relevant, only a handful of the independent media were interested in reporting about this story and inquired about their findings. No major broadcaster with national coverage or well-established media outlets picked up the story. On the contrary, the media merely used the story to further squash it. But, after the story was published on the front page of the most-selling tabloid—calling it fabricated charges—in fact helped KRIK to circulate the story to a wider audience, which was not yet familiar with their work.

However, this limited space was not sufficient to uphold the importance of their revelation. Thus, the only efficient channel of communication was direct confrontation of Mali during his public appearances and press conferences, organized almost on a daily level. They seized every opportunity to publicly ask him about their findings and contradict an official narrative that the story was false. As KRIK journalists explained "we already knew that the answers would be just another groundless attack, but that helped the story to spread and made it even stronger. Because other media and broadcast would pick this up and he had to answer our questions all over again. But we knew—if no one asked, then it was over and the story would be forgotten." In that sense, these press conferences were essential, especially because till today he did not agree to give an interview to KRIK.

For days, they followed Mali and asked him the same questions. As they recall—after asking him "Can you please tell citizens how is the owner of the company that bought 24 apartments on the Bulgarian coast", he confusingly said that KRIK should ask Vučić [*back then the prime minister, and today the president*]. This answer was shocking as it suggested that the prime minister was also involved, which was thought-provoking. As they said, "we knew then that the story was big and that we pinched the nerve."

As a result of this “frontal attack”, Mali stopped appearing in the public and press conferences were organized less frequently, mostly for the pro-government media. However, KRIK managed to find out about these conferences and showed up to ask the same questions. At one of these events, the communal police confiscated the personal cell-phone of the KRIK journalist and deleted the footage. Thus, it was clear that the situation was becoming increasingly hostile, but KRIK’s only goal at that moment was to ensure that the story remains in the public eye and received more notice. To do so, they launched a Twitter campaign where they asked citizens to help them “Find Mali.”

This campaign turned out to be effective and citizens responded by sending their “tips” about Mali’s whereabouts. More importantly, the story remained in the public focus and KRIK had a successful public outreach. In this way, they also strengthened trust and gained support of their readership. As the KRIK’s journalist rightly concluded: “This strategy made obvious to citizens that the story was reliable and that the authorities tried hard to distance themselves from the findings. And this was our first big story, so we knew we had to give everything to protect the story and our integrity. The price was too high.”

They pursued similar tactics after the publication of two other stories about Mali and this “arms race” lasted for a few months. However, given the hostile media environment and safety threats KRIK has encountered in the years after their foundation, mentioned in more detail in the section II, this “arms race” has continued to the present day. To respond to these threats KRIK has developed a comprehensive strategy that, as noted, started as intuitive and accidental response to an avalanche after publishing a story about Mali.

Today KRIK undertakes an in-depth risk-assessment before publishing their investigations, a necessary process as the civic space is still under increased and continuous pressure.³⁴ They try to predict what the authorities can do and their next moves: “Now we know how to assess what mechanisms power holders have at their disposal, who they can reach out to and silence us, who works for whom and how they can use that position to carry out some kind of a counter-attack.” In addition, they are equally active and resilient in protection of their work and investigations, as they were in 2015. Therefore, the increased and continuous pressure and safety threats as well as KRIK’s counteracts in the form of comprehensive risk-assessment and the outlined strategy, together depict the contours of the dynamic “arms race” taking place in the civic space. For this reason, KRIK is one of the media outlets in Serbia today with a distinguished niche in the world of investigative journalism.³⁵

4. Conclusion

Drawing upon these insights, it becomes clear that the outlined strategy has enabled KRIK to put a spotlight on the story and bring to the forefront significance of their findings. In this way, they implicitly developed a comprehensive approach to combat repression and sustain the relevance of their work while serving the public interest. As stated by KRIK, “we made sure not to leave them alone, to be present, to be heard and seen.” However, none of this would be possible without a bulletproof and accurate story, thereby fact-checking emerges as a silent but crucial part of the strategy.

This strategy, as noted, has been advanced and today it incorporates in-depth understanding and assessment of the power-dynamic surrounding a particular story. It proved to be successful till today. Namely, in the midst of the COVID-19 pandemic, KRIK broke a story³⁶ after a cross-border investigation that lasted for a year. Similarly to the previous investigation, KRIK succeeded to turn the tabloids’ accusations³⁷ into a gain, so the story attracted large attention in a short period of time.

However, in the midst of the pandemic, a 2019 Freedom House report found that Serbia is no longer assessed as a free and democratic state. Considered as partly free and under a hybrid regime, this Western Balkan country is faced with “deterioration in the conduct of elections, continued attempts by the government and allied media outlets to undermine independent journalists through legal harassment and smear campaigns, and President Aleksandar Vučić’s [*the president*] de facto accumulation of executive powers that conflict with his constitutional role.” For this reason, the ground-breaking work of KRIK and other independent media outlets seems like the last resort to counter persistent restrictions on civic space.

The key recommendations

To generate the impact for their stories and ensure accountability of those on power, media outlets working in adverse conditions need to:

- Be aware of the various forms of institutional surveillance and other control practices;
- Be up-to-date and use the latest digital security technologies;
- Allocate time and resources to secure stories from leaking to the public;
- Build new and strengthen existing peer networks and collaborative tools;
- “Have the guts” to scare the power holders with revelations, think and do big;
- Undertake rigorous fact-checking and stay true to the facts no matter how big is the story;
- Seek and use the opportunity to confront the power holders with their findings;
- Be present in the public but also be aware of journalists’ rights and endorse them;
- Articulate wide-ranging repressive tactics to garner and sustain attention for the story;
- Engage and involve citizens in holding those on power accountable;
- Conduct in-depth risk assessment before publication: understand power-dynamic and real potential of decision-makers to harm reputation of the media outlets and credibility of the stories.

Notes

1. See for example the EU progress/country reports, available at: <<https://bit.ly/2tgDrdm>> [last visited on September 3, 2019]. See also: Human Rights Watch, Serbia/Kosovo - Events of 2018, available at: <<https://www.hrw.org/world-report/2019/country-chapters/serbia/kosovo>> [last visited on 27 January 2019].
2. According to the Reporters Without Borders Media Freedom Index, from 2016 to 2019, overall media freedom suffered a steady negative trend, culminating in 2019, the year when more media freedom violations against journalists have been denounced since 2008. [Rankings per year 2012(63), 2013(63), 2014(54), 2015(67), 2016(59), 2017(66), 2018(76), 2019(90), 2020(93)], available at: <<https://rsf.org/en/serbia>>; In addition, the Freedom House monitoring - Nation in transit report which ranks last year's democracy percentage and status has also recorded decline. Namely starting from 2016, when the first monitoring report was published, Serbia was considered a free and democratic country, however as of 2019 Serbia is evaluated as partly free and under hybrid regime, available at: <<https://freedomhouse.org/country/serbia/nations-transit/2020>> [accessed on 8 May 2020].
3. KRIK, available at: <<https://www.krik.rs/en/>>.
4. Ministry of Foreign Affairs, Political Relations Between the Republic of Serbia and the European Union, available at: <<http://www.mfa.gov.rs/en/foreign-policy/eu/political-relations-between-the-republic-of-serbia-and-the-european-union>> [accessed on 10.4.2020].
5. Op.cit fn.2, See also: The analysis is based on European Commission "Serbia Report" (SWD(2019) 219 final), (SWD(2018) 152 final), (SWD(2016) 361 final), (SWD(2015) 211 final), Serbia progress report (OM(2014)700 final), Center for Media Pluralism and Media Freedom "Media Pluralism Monitor Report for Serbia" (2018), NUNS "Indicator on the Levels of Media Freedom and Journalists' Safety in the Western Balkans" (2018).
6. For an in-depth analysis (2009 - 2017), see: Resource Center of Media Freedom in Europe, Transparency of media ownership in Serbia, available at: <<https://www.rcmediafreedom.eu/Wiki-for-mediafreedom/Transparency-of-media-ownership-in-Serbia>> [accessed on 27 April 2020]; See also: Center for Media Pluralism and Media Freedom "Media Pluralism Monitor Report for Serbia" (2017), Reporters without borders, "Who owns media in Serbia?" (21 June 2017), available at: <<https://rsf.org/en/news/who-owns-media-serbia>>, See also RSF, Media ownership monitor, Serbia, available at: <<https://www.mom-rsf.org/en/countries/serbia/>> [accessed on 27 April 2020].
7. The key investigative media outlets in Serbia: BIRN- Serbia, available at: <<https://birn.eu.com/network/birn-serbia/>>, Center for investigative journalism, available at: <<https://www.cins.rs/en/about-us/>>.
8. KRIK, available at: <<https://www.krik.rs/>>.
9. See for example: N1, Pro-government media assault on N1 over Vucic question (10 April 202), available at: <<http://rs.n1info.com/English/NEWS/a587841/Pro-government-media-assault-on-N1-over-Vucic-question.html>> and , IPI, Serbia's independent media faces ongoing smear campaigns (22 April 2016), available at: <<https://ipi.media/serbias-independent-media-faces-ongoing-smear-campaigns/>> [accessed on 7.5.2020].
10. See: Independent Journalists' Association data-base that monitors and tracks safety risk "pressure" as a separate risk, available at: <<http://www.bazenuns.rs/srpski/napadi-na-novinare>> [accessed on 27 April 2020].
11. Milan Nestic, Veljko Popović, Serbia's Besieged N1 Broadcaster Blames President for Harassment, Voice of America (23 October 2019), available at: <<https://www.voanews.com/press-freedom/serbias-besieged-n1-broadcaster-blames-president-harassment>> [accessed on 2.4.2020].
12. Committee to Protect Journalists, Serbian investigative journalist targeted with arson attack (12 December 2018), available at: <<https://cpj.org/2018/12/serbian-investigative-journalist-targeted-with-arson-attack/>> [accessed on 2.4.2020].
13. ARTICLE 19, Serbia: Journalist Ana Lalic arrested for reporting on inadequate hospital facilities for coronavirus (2 April 2020), available at: <<https://www.article19.org/resources/serbia-journalist-ana-lalic-arrested-for-reporting-on-inadequate-hospital-facilities-for-coronavirus/>> [accessed on 2.4.2020].
14. Independent Journalists' Association of Serbia, (2021), Attacks on Journalists Database, NUNS, Available at: <<http://www.bazenuns.rs/srpski/napadi-na-novinare>>
15. Politicians in Serbia are compelled by law to file their "asset report" before and after their time in power. However, these data are in many cases out of data or inconsistent, often stay unrevised, thus are not always accurate and trustworthy.
16. International journalism festival, Dragana Pećo, available at: <<https://www.journalismfestival.com/speaker/dragana-peco>> .
17. Orbis, available at: <<https://www.bvdinfo.com/en-gb/our-products/data/international/orbis>> .
18. Bivol, available at: <<https://bivol.bg>> [accessed on 2.4.2020].
19. Organized crime and corruption reporting project (OCCPR), available at: <<https://www.occrp.org/en>> [accessed on 12.4.2020].
20. Stevan Dojčinović, Dragana Pećo and Atanas Tchobanov, The Mayor's Hidden Property, KRIK (19 October 2015), available at: <<https://www.krik.rs/en/the-mayors-hidden-property/>> [accessed on 12.4.2020].
21. Stevan Dojčinović and Dragana Pećo, The Mayor's Free Land (25 October 2015), available at: <<https://www.krik.rs/en/the-mayors-free-land/>> [accessed on 12.4.2020].
22. Stevan Dojčinović and Dragana Pećo, A Mayor Helps a Father, available at: <<https://www.krik.rs/en/a-mayor-helps-a-father/>> (10 November 2015) [accessed on 12.4.2020].
23. Most of the information in this case study are gathered during the interview with Dragana Pećo. The interview was conducted in February 2020, and the data were later confirmed and verified by KRIK.
24. [add a footnote]
25. The latest Draft to the Law on the Access to Information of Public Importance, from March 2018, introduces major changes in relation to the entities that fall under the scope of the law (it excludes the public firmst), expands the scope of exceptions (for example denial of access on the basis of copyright protection) and introduces a possibility for the public body to "legally attack" the decision of the Commissioner that grants access to the information by the lawsuit in the administrative procedure.
26. Sasa Dragojlo, Serbian Tabloid Accused of Risking Journalist's Life, BalkanInsight (17 March 2016), available at: <<https://balkaninsight.com/2016/03/17/serbian-pro-government-tabloid-raises-doubts-of-journalist-monitoring-03-17-2016/>> [accessed on 27.4.2020]; Similar incident occurred in 2020, see: Reporters without borders, Serbia must account for alleged surveillance of journalists' emails (9 February 2020), available at: <<https://rsf.org/en/news/serbia-must-account-alleged-surveillance-journalists-emails>> [accessed on 27.4.2020].
27. Espresso, Stevan Dojčinović, the editor of KRIK: They are spying on the entire editorial office, and then BIA gives that information to the Informer and the tabloids! (27. August 2018), available at (in Serbian): <<https://www.espresso.rs/vesti/drustvo/174477/stevan-dojcinovic-urednik-krik-a-spjuniraju-nam-celu-redakciju-a-onda-bia-daje-te-podatke-informeru-i-tabloidima-video>> [accessed on 27.4.2020].
28. Jelena Radivojević, Ombudsman BIA has three weeks to comment on Dojčinović's case, KRIK (17 May 2018), available at (in Serbian): <<https://bit.ly/2LgR9rO>> , See also: Jelena Radivojević, Ombudsman asked for an additional explanation from the BIA in the case of following the editor of KRIK, KRIK (17 May 2019), available at (in Serbian): <<https://bit.ly/2LgpxmN>> [accessed on 12.5.2020].
29. Slavko Curuvija Foundation, KRIK journalist's apartment raided and ransacked (8 July 2017), available at: <<https://www.slavkocuruvijafondacija.rs/en/krik-journalist-s-apartment-raided-and-ransacked/>> [accessed on 12.4.2020].
30. KRIK, KRIK's Journalist Family House Broken Into (4 October 2019), available at: <<https://www.krik.rs/en/kriks-journalist-family-house-broken-into/>> 12.4.2020.
31. Civicus, Serbian women in the media face threats, intimidation and harassment (2 August 2017), available at: <<https://monitor.civicus.org/updates/2017/08/02/women-media-serbia-face-threats-intimidation-harassment/>> [accessed on 12.4.2020].

32. KRIK, Court Cases Initiated by Serbian Minister Completed in KRIK's Favor (6 September 2019), available at: <https://www.krik.rs/en/court-cases-initiated-by-serbian-minister-completed-in-kriks-favor/> [accessed on 12.4.2020].
33. Juzne vesti, Poreska kontrola Južnih vesti (2018-2019), available at (in Serbian): <https://www.juznevesti.com/Tagovi/Poreska-kontrola-Juznih-vesti.sr.html> [accessed on 12.4.2020].
34. According to the Freedom House report 2020 Serbia is no longer considered a democratic state and this report assessed Serbia as "hybrid-transitional or hybrid regime." Also the report states that: "The state of Serbia's democratic institutions and freedoms continued to deteriorate in 2019, resulting in the country's lowest democracy score in Nations in Transit since 2001." For more information see: Miloš Damnjanović, Nation in Transit 2020 - Serbia, Freedom House (May 2020), available at: <https://freedomhouse.org/country/serbia/nations-transit/2020> [accessed on 7 May 2020].
35. Stevan Dojčinović, KRIK editor has been awarded the prestigious Knight International Journalism Award at the International Center for Journalists' in 2019, available at: <https://www.icfj.org/stevan-dojcinovic-accepts-icfjs-knight-international-journalism-award> [accessed on 13.4.2020]. Stevan is also a regional editor of OCCPR for Serbia, available at: <https://www.occrp.org/en/aboutus/staff/stevan-dojcinovic>; Dragana Pećo is a researcher and helps journalists to track down people, companies, and assets across the globe, available at: <https://www.occrp.org/en/aboutus/staff/dragana-peco> [accessed on 3 June 2020].
36. Bojana Jovanović, Stevan Dojčinović and Svetlana, Đokić. Bad Blood: A War Between Montenegrin Cocaine Clans Engulfs the Balkans, KRIK (7 May 2020), available at: <https://www.krik.rs/en/bad-blood-a-war-between-montenegrin-cocaine-clans-engulfs-the-balkans/> [accessed on 7 May 2020].
37. KRIK, KRIK o novim napadima: Predstavnici vlasti su sami stavili fokus na Danila Vučića (6 May 2020), available at (in Serbian): <https://www.krik.rs/krik-o-novim-napadima-predstavnici-vlasti-su-stavili-fokus-na-danila-vucica> [accessed on 7 May 2020].

Case 3 Political scandal and the use of provocation as a tool for journalists: The case of small local media taking on political leaders in Romania

Introduction

Liber in Teleorman is not a newspaper name, said Carmen Dumitrescu, the paper's founder when interviewed for this case study. It sounds awkward and maybe a bit too militant. However, this was the local newspaper founded by two female journalists from the southern county of Teleorman in Romania, who dared to confront head-on the political elite of the county. This was no small feat, since that included Liviu Dragnea, the leader of the governing party at the time (the Romanian Socialist Party, PSD) and his political allies.

The paper and its two founders became notorious in Romania for their combative attitude and uncompromising positions. Often controversial and provocative their writing attracted both admiration and criticism from their fellow journalists¹. The questions this article raises will address the sometimes fine line between activism and journalism, in the context of a small town struggling with authoritarian rulers. The line between activism and journalism should always be made visible, even if crossed. However, in some particular settings the privilege of exercising distance and attempting objectivity is hard to achieve. The dilemmas facing journalists in siege-like situations bring up questions on ethics and the role of journalists in their communities political life.

This case study will describe how one small media outlet negotiated these dilemmas and what impact their struggles had on the media landscape surrounding them. The information delivered here relies on an extended interview with one of the paper's founders, Carmen Dumitrescu and interviews she and her partner Monica Vasilescu gave to various media outlets in the past years.

1. Local Media in Romania

In contrast to the many countries where local media is slowly but steadily disappearing, in Romania the media ecosystem serving small, local publics seems to be thriving. There are hundreds of small, online media organizations popping up on local scenes. Their number does not necessarily translate to pluriformity or independence, however: in many cases these voices serve partisan interests of the economic and political elites. Studies on the state of the press in Romania² show that the relative diversity of online media in Romania masks the reality of poor reporting practices, political control over editorial decisions and content, the prevalence of censorship or self-censorship in small newsrooms, and economic vulnerability.

Many local journalists are poorly paid, poorly trained and under constant pressure. Although there are some notable exceptions, local media outlets, especially the online written press tends to live from publishing press releases and the occasional reporting or interview. Most journalists, even in big newsrooms, rarely get paid more than 700 EUR a month. In local media it's often closer to 3-400 EUR. This financial precarity does not help with speaking truth to power of course.

Income provided by town halls and other local government institutions, such as local councils, are a significant financial lifeline for small media outlets. Furthermore, local businesses rely heavily on the good will of the administration to conduct business - to receive authorizations to function for example. In these conditions, if a local supermarket or construction company would advertise in a non-friendly paper, they might start to feel pressure from local politicians to stop funding 'opposition media'. Moreover, advertising income coming from business that have strong ties to the local political elites, often also comes with obligations to turn an eye from dubious business practices.³ As a result, various forms of censorship are thus common in newsrooms and self-censorship is practiced by many local and national journalists in order to keep their jobs.⁴

2. Political pressure on local media: a new paper is published in Teleorman

“We called it Liber in Teleorman (Free in Teleorman), but Liber in Teleorman isn’t a newspaper name [...] We called it like this because for me it was a state of mind. I didn’t want to set up a paper, I wanted to create a state of mind. One that I was having, or rather that I needed”

Carmen Dumitrescu

Teleorman is a preponderantly rural county in Southern Romania, struggling with economic problems. According to the National Institute for Statistics, Teleorman is two-thirds rural, has a decreasing number of inhabitants, and is among the poorest counties in Romania⁵. The same problems plaguing local media in Romania generally, described above, also affect Teleorman. Although it has at least six online newspapers, a TV station and a couple of local radio stations, these are dependent on their relation with local authorities. They receive aid in the form of public interest advertising from the local government and local businesses – the other potential source of advertisements – rely heavily on the good will of the administration to conduct business.

This was also the case for the founders of Liber in Teleorman, Carmen Dumitrescu and Monica Vasilescu, who were working at rival papers in 2014. Print media was in trouble in 2014, as it is now in Romania, and the two local papers where the journalists were employed were relying on advertising money from both private and public sources to make ends meet. Relations with the local authorities were therefore kept cordial by the management of their papers and they followed the general pattern of self-censorship. Out of frustration with this situation, they decided to found their own independent newspaper.

Alexandria, the main city of Teleorman, was especially tricky territory because it was the home ground of Liviu Dragnea, the then-leader of the Romanian Socialist Party (PSD). He started his political career there and formed a group of loyal members who later were advanced in leading positions in the government. In 2014, when Liber in Teleorman was founded, he was deputy prime-minister and Regional Development Minister in the socialist dominated government. In 2015, after a series of national mobilization and street protests triggered by a tragic fire in a club in Bucharest leaving over 60 people dead, the then Socialist prime-minister Victor

Ponta resigned from his government position and his leadership of the PSD. Dragnea became the leader of the party. After the PSD won a majority in Parliament in the 2016 elections, he was bound to become prime-minister. However, having an electoral fraud conviction on his record, he was prohibited by national legislation to be appointed PM. A string of puppet prime-ministers from his inner circle were then appointed to lead the government. Some of his allies from Teleorman were offered ministerial and other significant government positions.

Thus, the local Teleorman political elite was not the usual one. National politics were closer to home in Alexandria than in other small towns in Romania. In this context Liber in Teleorman was operating a small independent journalism organization.

This assumed position of the founders could not escape unnoticed by the local political elites. Dumitrescu claims that the then mayor of Alexandria, Victor Drăgușin of PSD, offered to subscribe the town hall to their paper and purchase all their issues. This was seen as an obvious attempt to buy-up, quite literally, the publication.

When this strategy did not work, a series of personal attacks started. Dumitrescu describes rumors concerning their morality and personal life. Many of the attacks were gendered: this included discrediting them as superficial and incompetent women and even threats to release intimate photos of the two were frequent.

3. Political activism as a strategy

“I find it terribly unfair that all that was seen from our struggle was Dragnea. Now that everything is over and I can look at the experience objectively, I think it’s very unfair that all that was seen was Dragnea. And it’s unfair towards us”

Carmen Dumitrescu

The paper was published in both print and online. With an initial circulation of 1000 issues, it grew to 2000 fast, due to demand. For lack of resources Liber in Teleorman never printed more than 2500 issues of a number. The selling price was 1 leu or roughly 20 EUR cents. The paper relied on advertising to fund itself, coming exclusively from private sources. The revenue of the paper could not support the salaries of

the two journalists and was covering only operational costs. Moreover, when issues were not sold or were not delivered to newsstands, Dumitrescu and Vasilescu would roam the villages of Teleorman to freely distribute their paper to rural inhabitants and people who could not afford to spare the 1 leu for a paper. What was the motivation behind this strategy?

Carmen Dumitrescu never saw in their effort an attempt at building a business. From its inception the journal's founders were involved in community activities, fund raising, or organizing cultural evenings for the youth. Liber in Teleorman was as much an activist endeavor as it was a journalistic one. With its provocative and opinionated style and grassroots organizing on the side, the paper acquired a strong anti-PSD identity.

The initial two years of the publication were difficult, but 2017 brought the most challenging period for Liber in Teleorman. Once the Socialist led government came to power a series of amendments to the Penal code were introduced by the minister of justice, aiming to reduce sentences associated to corruption, such as abuse of power. Some of these amendments would have directly benefited Liviu Dragnea, who was facing several accusations of corruption. Protests against the proposed legislation erupted all over the country, with massive demonstrations common in big cities such as Bucharest, Cluj, Timisoara and so on. A few hundred people also mobilized in Teleorman. They marched to Liviu Dragnea's home and chanted to an empty house. Small in comparison, the protests in Alexandria carried significant symbolic value. Even on his home turf, Dragnea was being challenged and Liber in Teleorman was writing about it in their habitual provocative tone⁶. Moreover, both journalists were present at the protests and encouraged people to join on their social media accounts.

The effects of Liber in Teleorman's involvement came swiftly. Three days after the protests, businesses started cancelling their advertising contracts. In a few weeks, the minimum revenue they were producing to keep the print edition running dried up. They were further under increased pressure from local politicians. Faced with imminent bankruptcy, they decided to switch to an exclusive online edition to keep the newspaper running - even though the costs of printing their paper was roughly 1000 EUR per month⁷. Financially, the sustainability of the paper was always shaky, but once all advertisers retreated from their contracting commitments, the paper's future looked bleak.

The harassment, including legal cases, increased. Both journalists reported being followed around town by security personnel serving Dragnea's son and were physically intimidated and verbally abused by them. Both founders considered moving away from Teleorman. Eventually, Monica Vasilescu did so in 2018: she is currently working in Bucharest. Financial salvation also came from the national media for Carmen Dumitrescu, who received a correspondent gig with one of the most

popular commercial national radio stations, Europa FM. Collaborations with other national media organizations followed, which provided the two journalists with financial stability, but saw their work for Liber in Teleorman suffering.

Liber in Teleorman's struggle with Liviu Dragnea did not go unnoticed by larger press organizations. The paper was often quoted in relation to Dragneas and the PSD and their reports were used as sources by national media outlets. They were after all the local expertise in all matters related to Dragnea's dealings in Teleorman. This helped to increase the impact of their work. Cooperation with national media also offered a protective coat for Carmen Dumitrescu, who decided to stay in Alexandria.

In 2019 Liber in Teleorman was awarded an honorific prize in the local media category "for their courage, patience and truth"⁸ in one of the most prestigious press awards in Romania. The same year, a couple of months after the award ceremony, Liviu Dragnea finally ended up with a conviction for incitement to abuse for acts he committed while heading the local council of Teleorman. He received a sentence of 3 years and 6 months and is still in prison today.

While this could be the happy end of the story, the reality is rather more checkered. While its founders seem to be thriving, Liber in Teleorman is struggling to exist.

4. What came out of the struggle - reflection and conclusions

"I know how journalism is done. But here (in Teleorman, Romania n.e.) we had different rules, here you have to come up with new rules, you had to shake the media environment a bit. I think the media landscape changed after us, I am saying this with all modesty. I think that after Liber in Teleorman, all the publications that appeared have borrowed from us. They have seen that nothing terrible happened to us, so they started doing something similar."

Carmen Dumitrescu

The work the two journalists put into the paper was formally recognized by their colleagues, it got them professional recognition in the form of prizes, contracts with nationally recognized brands, and involvement in media networks. Liber in Teleorman is now part of PressHub, a network of local media organizations coordinated by Freedom House Romania. Dumitrescu is involved in investigative projects, and is hosting a series of video interviews for PressHub. She is still occasionally writing for Liber in Teleorman, as is her former colleague.

At the same time, a quick glance at the paper's page reveals infrequent publishing, sections left abandoned (such as the Culture page formerly coordinated by Monica Vasilescu) and minimal advertising. While the two journalists, after struggling for years, managed to survive their battle with Liviu Dragnea, their paper seemed to have suffered from their success. If their colleagues from national media outlets showed solidarity and interest in their work, they also unintentionally created the conditions in which the paper was increasingly neglected. As collaborations assured financial stability and success for Dumitrescu and Vasilescu, it proved too difficult to manage an unpaid job, next to the paid ones. Saving the paper or saving the saving the journalists is an incredibly unfair dilemma to solve.

In addition to this question related to financial sustainability, the case of Liber in Teleorman also poses a complicated ethical dilemma for journalists. It did for their founders as well. The job of a journalist is not to call people out in the streets to protest against political leaders. The very personal, provocative tone of some Liber in Teleorman articles have more the air of an opinion piece than a news report. Liber in Teleorman is not a conventional paper and it was not aimed to be

one. It was from its inception a political project as it was a media one. With its community events and strong connection to its public, the paper created a space for civic activism in the county's public life. Impartiality and journalistic objectivity seemed not to be the ultimate goal of the paper, but the shaking up of community life in Teleorman.

Carmen Dumitrescu argues that newer media outlets started to publish locally in the last years and they have adopted a more combative attitude than the two traditional local papers, for which they used to work. She sees this as a positive development, a breath of fresh air in a previously suffocating environment. Thus, the second dilemma Liber in Teleorman raises is related to journalism and political aims: is it fair to sacrifice one for the other? Is it fair to make them cohabitate?

The answers to these dilemmas cannot be solved outside their local media environment. Placing analysis in the specific context of the dilemma might offer better answers than looking at the case abstractly. Liber in Teleorman would not exist without Carmen Dumitrescu and Monica Vasilescu. There are no people who could replace them and thus saving their careers is equivalent with saving the type of journalism Liber in Teleorman was practicing. Is this is model of media independence desirable in a local context where all papers are partisan? A carefully balanced local media environment, where a plurality of voices representing all groups in the community seems like a naïve utopia nowadays, but it is a model to be looked at, at least at an ideational level.

Notes

1. Ioana Burtea, "Libertate și furie în Teleorman" (Freedom and fury in Teleorman) Revista DoR, 17 September 2018, available online at <https://www.dor.ro/libertate-si-furie-in-teleorman/>
2. For more in this please see the "State of Romanian Mass-Media, 2020" report published by the Center for Independent Journalism, available in English here: <https://cji.ro/en/mass-media-state-2020/> and the "FreeEx Report (2018-2019) - Press Freedom in Romania" published in Romanian, available online here: <https://activewatch.ro/en/freeex/publications/freeex-report-2018-2019-press-freedom-in-romania/>
3. Iulia Marin, "Presa locală, cumpărată cu bani publici: milioane de euro pe ode, emisiuni aranjate și felicitări" (The local press bought with public money: millions of euros for praises, commissioned shows and greetings), Recorder, 14 May 2018, available online at: <https://recorder.ro/presa-locala-cumparata-cu-bani-publici-milioane-de-euro-pe-ode-emisiuni-aranjate-si-felicitari/>, accessed on 6 April 2019.
4. The Center for Independent Journalism, "State of Romanian Mass-Media, 2020", available in English here: <https://cji.ro/en/mass-media-state-2020/>
5. Total population in 2020 328,683, out of which urban 107,983 and rural 220,700. Source National Institute for Statistics: <http://statistici.insse.ro:8077/tempo-online/#/pages/tables/insse-table>. Unemployment was more than double the national rate in 2019 and the average salary 20% lower than the national average (source: <http://statistici.insse.ro:8077/tempo-online/#/pages/tables/insse-table>).
6. See a series of articles published by Liber in Teleorman at the time, available in Romanian here: <https://liberinteleorman.ro/protest-cu-surpriza-la-alexandria-curajosii-teleormanului-au-primit-intariri-de-la-bucuresti/>, here <https://liberinteleorman.ro/teleormanul-scrie-istorie-pest-100-de-curajosi-l-au-strigat-pe-dragnea-la-conac-iesi-afara-javra-ordinara/> and here: <https://liberinteleorman.ro/pe-primii-zece-ani-teleormanul-s-a-strigat-jos-dragnea/>
7. Radu Bambu, INTERVIU. Cum să fii liber în presa locală. Liber în Teleorman. Povestea: „Scrisul liber e cel mai frumos și mai periculos sport posibil” (Interview. How to be free in the local press. Liber in Teleorman. The story: Writing freely is the most beautiful and dangerous sport possible), Pagina de Media, 13 June 2019, available online in Romanian here: <https://www.paginademedie.ro/2019/06/interviu-ziarul-liber-in-teleorman>
8. Carmen Dumitrescu, "Premiul onorific pentru presă locală al Galei Superscrieri 2019 a ajuns la ziarul Liber în Teleorman" (Honorific prize for the local press at the Superscrieri Gala 2019, awarded to Liber in Teleorman), Liber in Teleorman, 2019, available in Romanian here: <https://liberinteleorman.ro/premiul-onorific-pentru-presa-locala-al-galei-superscrieri-2019-a-ajuns-la-ziarul-liber-in-teleorman/>

Case 4 Oštro: Continuous learning in Slovenia's center for investigative journalism

Introduction

In this case study we outline the context and challenges of establishing Oštro, Center for investigative journalism in the Adriatic region¹. Through an overview of the center's first years of existence we present strategies used to push back against shrinking civic space for independent quality journalism.

The case study is structured in three main sections. The first section illustrates the general context for independent media with a focus on the years since Oštro's establishment in March 2018, while the second reviews the main challenges that Oštro has faced during this time. The final section introduces Oštro's main strategies and methods for equipping young journalists with investigative skills through their investigative journalism incubator, building a community with their readers and writing accurate and quality-driven articles.

For the most part, the content of this case study is based on an interview with Oštro's founder and editor in chief of Ostro.si Anuška Delić conducted in November 2020.

oštro

1. Context

Several international watchdogs and press freedom organisations have noted that press freedom in Slovenia is declining. This was marked also by the 2021 World Press Freedom Index², where Slovenia ranked 36th (down from 32nd in 2020). The Slovenian media sector is challenged by high levels of media ownership concentration and systematic smear campaigns against journalists and certain media outlets exercised by visible political figures. In addition, the space for civil society in Slovenia has generally been shrinking. This was recognised in December 2020 by Civicus, who downgraded the country from 'open' to 'narrowed'. The Civicus Monitor noted particular concern about the deterioration of media independence and the working environment for journalists³.

1.1 Politics and profit

A common problem for independent media outlets in Slovenia is maintaining financial stability, as the culture of reader-funded media is not widely established, there is also a lack of bigger media foundations or potential individual or organisational donors. The Slovenian Ministry of Culture offers project support through an annual call for co-financing media content, however media outlets struggle with securing core funding, which remains one of the key issues, not only in Slovenia, but in a number of other European Union (EU) countries.

Since the 2008 economic crisis, traditional print media have been reducing costs of work, including the number of journalists working in newsrooms. They have been experiencing a continuous downfall in subscriptions, coupled with troubles to successfully monetize their online distribution of content. Most are owned by financial holdings and local businessmen who are not immune to commercial and political pressure⁴. Oftentimes younger generations of journalists have to make do with precarious employments in newsrooms where their professional development is left largely to their own initiative.

Investors, connected with several pro-government media in Hungary, also own a number of media outlets in Slovenia that are tied to the right-wing Slovenian Democratic Party (SDS)⁵. This includes the media outlet Nova24TV, which current Prime Minister Janez Janša and his political circle established in 2015 and are now using to support their political aims and steer public opinion⁶. SDS formed a coalition government with the Modern Centre Party, New Slovenia and Democratic Party of Pensioners of Slovenia in March 2020, after having previously been in power between 2004–2008 and 2012–2013.

Changes to the media legislation implemented during Janša's first term strengthened the influence of politics on media, which was then exercised by limiting state-owned companies' advertising and installing editors in biggest national newspapers thereby usurping them politically. A package of four media laws that the government introduced in 2020 was severely criticized by experts and the media for showing a similar interest, for instance by giving the government more influence on management appointments at the Slovenian Press Agency⁷.

1.2 Toxic environment for journalists

In addition to economic pressures, journalists and media outlets in Slovenia are systematically targeted in hate speech, threats and often vulgar verbal attacks, which are primarily used to negate their work. This has been gradually escalating for years and has increased further when SDS started leading the government in 2020⁸. Two months after becoming Prime Minister, Janša proclaimed “war with the media” in an essay published on the official government website⁹. Janša and his political circle often engage in hateful Twitter interactions and publicly discredit journalists and media outlets. These statements have gone so far as to provoke several reactions from EU institutions and have contributed to a broader debate on media freedom in Slovenia. “No hate, no threats, no personal attacks,” is how Věra Jourová, Vice President of the European Commission for Values and Transparency, responded when a number of international press freedom organisations urged the commission to put pressure on the Slovenian government¹⁰.

The Council of Europe also intervened and issued a warning against the harassment and intimidation of journalists. “His willingness to denounce critical reporting as #FakeNews has also drawn uncomfortable parallels with other leaders,” IPI wrote on Janša, in a special report on Slovenia in September 2020¹¹. These actions are seen as deliberate efforts to delegitimize and diminish the work of journalists and media outlets and hinder their ability to hold powerful persons to account.

1.3 Professional standards

In addition to the law, professional criteria for journalists in Slovenia are set out with self-regulation. There are two professional associations and one professional union on the national level, which adopted two ethics codes with corresponding ‘honour councils’, designated to hear complaints and pass judgments regarding the journalists respect for the code. Being a member of the mentioned organisations is however voluntary and the decisions by the self-regulatory bodies have no legal consequences. Research also showed the Slovene Supreme Court inconsistently references the code when determining a journalist’s liability for damages¹².

Professional standards, such as verifying the accuracy of information, citing sources of information or the prohibition to use misleading titles, are often disregarded in the name of ‘being first’ and increasing the outlets’ ratings. Interweaving advertising with editorial content is also common. As a result of the economic precarity and click- and ratings-driven editorial policies, journalistic production is often limited to the cycle of finding something out, getting a few reactions, spreading the news around and moving on to another subject. Investigative journalists often do not receive the systematic editorial support they need.

The described circumstances feed into a general culture of skepticism and mistrust in media reporting. “All of the professional standards, which we don’t follow or only half follow, end up coming back like a boomerang beating the same group of people that threw the boomerang in the first place,” Delić stated during the interview.

2. Challenges

The problems outlined above are among the main reasons for Oštro’s establishment. In the interview, Anuška Delić mentioned that the only way she saw left to usurp the status quo was to create something of her own and work differently. In addition to maintaining existing ethical standards, Oštro therefore also adopted its own Code of Conduct (described in 3.2).

Establishing Oštro and trying to foster a culture of accountability in the region has come with its own challenges. By describing this process, the following section provides an insight into restrictions for independent and investigative media in the region.

2.1 No finances and no investigations

Oštro was established as a micro-regional center for investigative journalism in March 2018. The website Ostro.si was launched in June, along with a new batch of documents from the international *Panama Papers*¹³ coordinated by the International Consortium of Investigative Journalists (ICIJ), with which Oštro collaborated. In November, Oštro followed with the publication of another project in collaboration with ICIJ, *the Implant Files*¹⁴. By then, Oštro had been joined by journalist Maja Čakarić, who also took on responsibilities as social media editor, while Klara Škrinjar followed her in January 2019; she later became the editor of Oštro’s fact-checking project Razkrinkavanje.si.

The work that Oštro was able to do in the beginning was in proportion to the budget they had available. “If you have the necessary finances, you can start working immediately,” Delić explained, but that was not the case for Oštro. They started off with Delić’s savings, severance pay from newspaper Delo (where Delić worked for almost thirteen years) and a collaboration with the Organized Crime and Corruption Reporting Project (OCCRP), where Delić is Balkans Regional Editor¹⁵.

OCCRP¹⁶ also supported Oštro with a starting donation and key advice throughout Oštro’s development. Raising funds and bureaucracy quickly came to the forefront and took time away from investigating and producing stories. This was particularly the case due to a lack of private donations or public funding for non-profit journalism in this part of Europe as well as an undeveloped tradition of audience supported independent journalism.

In autumn 2019, the center was failing to pay bills and salaries on time while waiting to receive agreed funding from a donor and the Ministry of Culture (mentioned in 1.1). In spring 2020, the Ministry rejected Oštro's second co-financing proposal for the year on the grounds that they "do not publish original content". During the summer Oštro cut expenses wherever possible and a small loan application was on stand-by with its bank, Delić explained. By the fall, after they had applied for around a dozen international grants and were only selected for a few minor ones, they thought the center would not survive the year. Fortunately, they eventually managed to obtain support from larger international funds, including the European Journalism Covid-19 Support Fund, and by November 2020 Oštro has again entered a period of tentative stability¹⁷.

Despite the financial struggles, Oštro's journalists investigated a number of local, national and regional stories: from high crime rate in municipality of Kočevje¹⁸, illegal vehicle destruction in Postojna¹⁹, youth access to psychological help²⁰, to money laundering from Hungary via Slovenia to North Macedonia²¹ and Hungarian taxpayers financing a football academy in the near-border Lendava²². They frequently collaborated with other EU reporters on the cross-border stories.

In 2020, they began publishing a series of Covid-19 related fact-checking and investigative stories²³. Oštro also publishes visual commentaries by Slovene illustrators called Tuširanka²⁴ and runs a whistleblowing platform Zvizgac.si²⁵ (translated as whistleblower).

Oštro's financial instability sheds light on one of the key issues of financing non-profit media in smaller and peripheral EU countries, where opportunities for securing stable funding from private donors or foundations are extremely limited or non-existent compared to the opportunities in core EU countries or EU candidates. The belief that media within the EU are equally stable and well situated, which has been prevailing for years, has resulted in sparse public resources for independent media, especially sufficient core support.

2.2 The need for fact-checking

In this media environment, where journalists and media outlets are heavily scrutinised and smeared, it is of the utmost importance to get the story exactly right. From the start, Oštro introduced a complex editorial process to ensure the upholding of high professional standards, partially to win back the trust of an audience that has gotten used to partisan or sensationalist media outlets, and partially to protect itself against counterattacks from the powerholders they seek to hold to account.

As part of this mission, Oštro set up its fact-checking project Razkrinkavanje.si²⁶ in May 2019. In an attempt to conquer the false statements and facts circulating in the media, Oštro's journalists started fact-checking Slovenian media content and statements of those who enjoy influence and power in the society, such as politicians, experts or businessmen.



Their fact-checking activities are not limited to obvious sources of fake news but also address subpar media content published by prominent Slovenian media. A special subsection focuses on misleading, false and falsified statements that politicians, public officials and others give in Parliament, and one concerns misinformation related to European topics. The fact-checked content is evaluated within a typology that captures the spectrum between completely accurate and completely misleading information²⁷.

Razkrinkavanje.si brought in a number of young journalists and journalism students to Oštro's investigative journalism incubator, including Katarina Bulatović and Matej Zwitter. Both are today a part of Oštro's core team.

3. Strategies

Oštro has used a combination of strategies and practices to address the challenges of shrinking civic space for independent media. They include mentoring young journalists and journalism students in Oštro's investigative journalism incubator, enforcing professional journalistic standards and emphasizing the necessity of collaborating with their readers. Although each strategy addresses a different issue, together they all work to increase the trust of the audience in Oštro's journalism and therefore its ability to push back against the wrongdoings of powerful actors.

3.1 Investigative journalism incubator

Oštro's fact-checking project Razkrinkavanje.si has been serving as a mentorship and learning center from its inception. The organisation takes in young journalists and journalism students to train them in investigative research, methods and the observation of high professional standards. Students can complete their mandatory internship of a couple of months at the organisation while learning by fact-checking media content for Razkrinkavanje.si. They may later continue working at Oštro, or get involved in other media, where the specialized skills they have acquired will support their further professional development. By April 2021, nine young journalists and students have taken part in the program.

The investigative journalism incubator is Oštro's attempt to increase the skill set of young journalists which may result in a higher level of professionalism in their future media environment. Young journalists and students learn how to obtain, verify and critically evaluate information, search for evidence by using public databases, research and opinions of experts with verifiable professional references. They learn how to deconstruct the meaning of statements, how to plan research and use different investigative methods and tools while fact-checking Slovenian media content and statements by influential individuals.

Young journalists and journalism students research their fact-checking stories under the mentorship of Oštro's editors or senior reporters who offer guidance and observe the process closely to ensure that professional standards are met. Through this Oštro is trying to establish an ecosystem of continuous learning within the newsroom. All team members are encouraged to attend workshops to continue improving their skills, and even the most experienced ones are learning on the go as they have found themselves in new professional roles. Former journalists are now also directors, administrators, editors and mentors.

Young journalists also quickly experience the toll of online hate speech and attacks (described in 1.2). One of journalism students, participating in Oštro's investigative journalism incubator, was threatened on Facebook and several team members were targeted in personal attacks on social media and in articles published on SDS-affiliated media outlets.

3.2 Focus on professional standards

Oštro's journalists are subjected to a rigorous editorial process during which their stories are continuously tested against professional journalistic standards. Every story goes through several rounds of dissection and questioning of details to make sure that every wording is accurate and in the right place, which is a process often forgotten in many other newsrooms.

As mentioned, Oštro's journalists follow a detailed Code of Conduct²⁸, which describes the center's main principles, relationship with sources of information and alliance with the public. The code also states their course of action in case they make a mistake. They transparently publish any updates, corrections, citations or presentations of other or contrary facts and circumstances at the bottom of the original article, adding the date of the change as well. This is a direct strategy to increase and maintain the public's trust, stay clear from sensationalist stories, protect Oštro's findings from attempts of delegitimization and maximize the impact of their investigations.

Oštro also runs a whistleblowing platform Zvizgac.si. The open site is there to guide potential whistleblowers through the process of anonymously submitting information in the public interest via Oštro's Tor-accessible SecureDrop instance. The platform is an attempt to empower readers to actively contribute to the public debate and not participate only as spectators.

3.3 An alliance with the public

Oštro introduced its membership program Be our wind²⁹ in December 2019, when they invited their readers to become the center's 'correspondent members'. Oštro's members are not mere micro-funders but are considered an essential part of its community. Those

who agree to share their professional affiliations with the center may be contacted, if issues arise that they can advise the center about, members can also help by fact-checking relevant research. "The point is to build a community, because we do not believe in the one-way paradigm of communicating media content, where we publish something and leave the public do to what they want with it," Delić stated. If members contribute their professional knowledge to Oštro's work, they are not obliged to pay the membership fee during that time. This strategy is a novelty in Slovenian media and is used to counteract the difficult economic environment for non-profit investigative journalism, to gain information and encourage a public debate.

The team planned to introduce live public editorial meetings in 2020, however financial restraints and the Covid-19 epidemic prevented that from happening. They subsequently held their first online public editorial meeting in 2021. The meetings are open to members and the general public. They are meant to serve as an agora, a place to discuss Oštro's past stories and any overlooked aspects, disinformation campaigns uncovered by Razkrinkavanje.si, and topics that readers think should be on the journalists' agenda. "This way we can start bridging this gap between journalists and their employers, that is, the readers," Delić commented. Public editorial meetings are another strategy Oštro is using to strengthen its credibility in the face of smear campaigns against it, empower its audience and increase the impact of its investigative findings on society.

Cooperation with the readers based on respect and appreciation for the readers' views is at the core of Oštro's membership program. Delić stressed, "there are many further ways to engage readers in your community, once the community starts to grow." And the community is growing. In 2020 the number of unique visitors of Ostro.si was almost three times higher than the entire year of 2019. Currently, about forty percent of readers access Ostro.si directly.

Oštro regularly receives suggestions from readers on what to fact-check (or investigate), either via e-mail or tags and messages on social media. They consider all suggestions in light of whether fact-checking or investigating that content is in the public interest and also feasible to conduct. To foster the community, the team also follows an unwritten rule that responding to e-mails, messages and suggestions from their readers is obligatory.

4. Conclusion

To summarize, while Oštro is still a young organisation, there are a few key lessons that we can learn from their approach, which combines a set of strategies to conquer the shrinking civic space for independent journalism.

Oštro is using fact-checking as a method to oppose the false statements circulating in media and 'fake news' allegations circulating in the public sphere. Their determination to uphold high professional standards and provide accurate information, combined with transparency of finances and updates of articles, acts as a shield against political pressures and a method for reinforcing the public's trust in media and professional journalism. Oštro's investigative journalism incubator is an attempt to prevent the further degradation of the profession by ensuring investigative methods, skills and most importantly – professional standards – are passed on to future generations of reporters. Building an alliance with their readers is also essential, not only as a way of opposing the one-way communication stream with the public, but also as an attempt to secure financial stability in a country, where public and private funding opportunities are very limited. Oštro frequently collaborates with foreign journalists and other non-profit media organisations, as it is crucial for revealing stories in a globalized society.

When asked about the effectiveness of these strategies, Delić replied it is too early to tell. Financing remains a problem in this part of the EU and long-term stability still seems somewhat of a phantasm for Oštro. Nevertheless, Oštro illustrates that an explicit focus on accuracy, accountability and participation with the readers can be the right way to go for independent media outlets and organisations, which are trying to establish themselves in media environments distressed by economic and political pressures.

The effects that Oštro's approach might have on the Slovenian media landscape will also need more years to show, however, the original disruption of the status quo in Slovenian media, which Delić intended to achieve, was successful. What is certain is that Oštro will not be left without material to investigate and fact-check.

Notes

1. "Oštro will nurture investigative and data journalism, champion the »right to know« as one of the fundamental human rights, spread journalistic knowledge, and contribute to the cultivation of future generations of journalists," as written on their website. Available at: <<https://www.ostro.si/en/center>>.
2. Reporters without borders / Slovenia. Available at: <<https://rsf.org/en/slovenia>>.
3. Civicus Monitor 2020. Country rating changes. Available at: <<https://findings2020.monitor.civicus.org/rating-changes.html#slovenia>>.
4. Cirman, Primož. 2020. Slovenia: Anatomy of a Victory. A lockdown for independent media? Effects of the COVID-19 Pandemic on the Media Landscape and Press Freedom in Central and Southeast Europe. Available at: <https://www.fes-budapest.org/fileadmin/user_upload/dokumente/pdf-dateien/A_Lockdown_for_Independent_Media_Report_Final.pdf>.
5. Kučič, Lenart J.. 2019. Infografika: madžarski medijski sistem v Sloveniji. Pod črto. Available at: <<https://podcrto.si/infografika-madzarski-medijski-sistem-v-sloveniji/>>.
6. Kučič, Lenart J.. 2019. Mediji SDS (2. del): od propagandnih brezplačnikov do strankarske televizije. Pod črto. Available at: <<https://podcrto.si/mediji-sds-2-del-od-propagandnih-brezplacnikov-do-strankarske-televizije/>>.
7. Vladislavljevic, Anja. 2020. Slovenia Seen Emulating Hungary, Poland with Media Reforms. Balkan Insight. Available at: <<https://balkaninsight.com/2020/07/22/slovenia-seen-emulating-hungary-poland-with-media-reforms/>>.
8. Mapping Media Freedom / Slovenia. Available at: <<https://www.mappingmediafreedom.org/country-profiles/slovenia/>>.
9. Janša, Janez. 2020. Vojna z mediji. Available at: <<https://www.gov.si/novice/2020-05-11-vojna-z-mediji/>>.
10. Walker, Shaun. 2020. Slovenia's PM Janša channels Orban with attacks on media and migrants. The Guardian. Available at: <<https://www.theguardian.com/world/2020/may/04/janez-jansa-new-pm-slovenia-in-mould-of-orban>>.
11. Wiseman, Jamie. 2020. New Administration, Old Agenda: Press Freedom Strained Again in Slovenia Under Veteran PM Janša. IPI. Available at: <<https://ipi.media/new-administration-old-agenda-press-freedom-strained-again-in-slovenia-under-veteran-pm-jansa/>>.
12. Čeferin, Rok, Poler, Melita. 2017. Journalistic code of ethics and journalists' liability for damages: analysis of the case law of the Supreme Court of the Republic of Slovenia. Teorija in praksa. Available at: <<https://www.fdv.uni-lj.si/docs/default-source/tip/journalistic-code-of-ethics-and-journalists-liability-for-damages-analysis-of-the-case-law-of-the-supreme-court-of-the-republic-of-slovenia.pdf>>.
13. Oštro / Panama Papers. Available at: <<https://www.ostro.si/en/panama-papers>>.
14. Oštro / Implant Files. Available at: <<https://www.ostro.si/en/implant-files>>.
15. Organized Crime and Corruption Reporting Project. Available at: <<https://www.occrp.org/en/aboutus/staff>>.
16. Oštro is a member center of OCCRP and of the Global Investigative Journalism Network (GIJN). Available at: <<https://gijn.org/>>.
17. Oštro's finances are published on their website in Slovenian, Croatian and English. Available at: <<https://www.ostro.si/en/finances>>.
18. Zwitter, Matej. 2019. V Kočevju si podajajo odgovornost za kriminal. Ostro.si. Available at: <<https://www.ostro.si/si/zgodbe/v-kocevju-si-podajajo-odgovornost-za-kriminal>>.
19. Simič, Matej, Čakarič, Maja. 2019. Razgrajevalci vozil na črno nad okoljski inšpektorat. Ostro.si. Available at: <<https://www.ostro.si/si/zgodbe/razgrajevalci-vozil-na-crno-nad-okoljski-inspektorat>>.
20. Bulatovič, Katarina. 2020. Večina mladih v duševni stiski pomoči ne dobi pravočasno. Ostro.si. Available at: <<https://www.ostro.si/si/zgodbe/vecina-mladih-v-dusevni-stiski-pomoci-ne-dobi-pravocasno>>.
21. Cvetkovska, Saška, Zöldi, Blanka, Delić, Anuška. 2020. Slovenija, pralnica madžarskega denarja. Ostro.si. Available at: <<https://www.ostro.si/si/zgodbe/slovenija-pralnica-madzarskega-denarja>>.
22. Delić, Anuška, Čakarič, Maja. 2018. Igre brez kruha. Ostro.si. Available at: <<https://www.ostro.si/si/zgodbe/nogometna-akademija-lendava-igre-brez-kruha>>.
23. Oštro / Oštro o Covidu-19. Available at: <<https://www.ostro.si/si/ostro-o-covidu-19>>.
24. Oštro / Tuširanka. Available at: <<https://www.ostro.si/si/komentarji/category/Tu%C5%A1iranka>>.
25. Zvizgac.si. Available at: <<https://zvizgac.si/>>.
26. Oštro / Razkrinkavanje. Available at: <<https://www.ostro.si/si/razkrinkavanje>>.
27. The methodology was adopted after the methods developed by the non-profit EAVI - European Association for Viewers Interests and used by the Serbian raskrivanje.rs.
28. Oštro / Code of Conduct. Available at: <<https://www.ostro.si/en/code-of-conduct>>.
29. The name of the center 'Oštro' is also a southerly wind in the Adriatic Sea.

Case 5 Institutionalizing progressive media in Transylvania: The case of *Átlátszo Erdély*

Introduction

Átlátszo Erdély is an independent investigative media organization based in Cluj-Napoca, Romania. It was founded in 2015, after the editor-in-chief of one of the most widely read Hungarian-language online news portals quit due to a lack of editorial independence: there had been internal pressure to stop writing critical pieces on local political leaders, who also happened to be the owners of the organization. That editor-in-chief, namely Zoltán Sipos, moved on to establish *Átlátszo Erdély*. Now five years old, *Átlátszo Erdély* is growing its public, belongs to national and international journalism networks and is financially sustainable. But it remains a small organization, with three employees and a founder who is doing the work of three people: manager, editor and journalist.

The Hungarian-language media sector in Transylvania is stuck between a rock and a hard place, namely between the local political elites and political influence across the border from Hungary.. Most Hungarian-language media organizations are dependent on funding from the Hungarian state and the political representatives of Hungarians in Romania, Hungarian media organizations in Transylvania receive considerable funding to be subservient. It is reported that the FIDESZ led government in Hungary allocated around 6 million EUR to fund media in Transylvania in 2019 through the Transylvanian Media Association (ASMT - Erdélyi Médiatér Egyesület), after it distributed around 4.5 million in 2017¹. This creates the need for *Átlátszo Erdély*'s work, but also makes it hard for it to find media organisations with which to cooperate. Their relation to the Hungarian-language media, captured by political elites from two countries is cold and with the Romanian language media is still barely existent. *Átlátszo Erdély* finds allies in Hungary's shrinking independent media space more easily than at home, as it collaborates with *Átlátszo Hungary*, but also with still independent sites such as 24.hu. The segregation of Romanian and Hungarian interests in Romania creates the background for this story. Finding solidarity and cooperation across ethnic lines would open up space for small media outlets serving minority public. *Átlátszo Erdély*'s story tells the story of this potential, yet unfulfilled.²

1. Context: Hungarian-language Media in Romania

Romania hosts one of the largest linguistic minorities in Europe, with a population of roughly 1.2 million people. Hungarian-language media is thus serving a small, but strong public. The Hungarian-language media in Transylvania has a long history stretching back to the Hungarian rule over the region until 1920 and has been quite prolific during the socialist regime as well. Post 1989, Hungarian commercial media started to appear and was developed as a media system dominated by local publications, nowadays in both print and online media, as well as broadcasting.

The Transylvanian regional capital of Cluj-Napoca is the headquarters of most Hungarian-language media, hosting popular print dailies and weeklies such as *Szabadság*, *Erdélyi Napló* and *Krónika* and online portals such as *Transindex*, *Maszol*, *Főtér*. *Szekely Land*, a region with a strong regional identity in which Hungarian speakers form the majority in many rural and urban localities, has a vibrant local media. *Szekelyhon.ro*, for instance, is one of the most popular online Hungarian portals. Another set of media organizations are based in the Western part of Romania, in cities bordering Hungary (*Satu-Mare*, *Oradea* and *Arad*). These belong to *Inform Media Press*, a company that also operates regional media in Hungary owned by Lőrinc Mészáros, a business man with very close ties to the Hungarian Prime Minister.

Because many Hungarian media organizations are not registered at circulation audit bodies, it's sometimes difficult to assess how popular they are. The Romanian Bureau for Transmedia Audit (BRAT) and *trafic.ro* have traffic numbers for a few of them. According to their data, *Szekelyhon* is the most popular online portal with around 170.000 unique visitors a week, while *Krónika Online* and *Transindex.ro* number around 72.000, respectively 90.000 unique visitors per week to their websites.

A study conducted by the Romanian Institute for Minority Studies in Cluj-Napoca, shows that Hungarian speakers are avid consumers of news media, with 45% of adult Hungarians reported to reading print media at least once a week. 89% percent of those who read newspapers were familiar with at least one Hungarian-language daily or weekly, while only 9% could mention a Romanian-language local newspapers. Hungarians also spend more than double the time watching Hungarian TV from Hungary than Romanian TV (100 min/daily average versus 46 min/daily average), with even less time spent on watching Hungarian TV from Romania (10 min/daily average). The study also shows that Hungarian-language radio stations are very popular amongst Transylvanian Hungarians, who are served by many local stations across the region³. We see from these statistics that Hungarians in Romania are served by a diverse media system, from both Romania and Hungary, with a sharp inclination for Hungarian-language media. But although these numbers might paint a positive picture, a closer look at funding and content reveal that behind this apparent diversity is in reality a politically subservient state funded press. Many Hungarian news organizations rely heavily on funding coming from both the Romanian and Hungarian governments. The Democratic Alliance of Hungarians in Romania (RMDSZ), a political party representing Hungarians in Romania, manages the funds earmarked by the Romanian state to support the Hungarian minority including media organizations.⁴ Meanwhile, there has been an increase in media funding coming directly from the Hungarian state since Viktor Orbán's FIDESZ party came to power in 2010, through a foundation dedicated to aiding Hungarian-language media abroad.

The stakes for FIDESZ in Transylvania are high, since ethnic Hungarians in Romania are eligible to request Hungarian citizenship and vote in parliamentary elections. As a result, the Hungarian government is disbursing several types of aid besides media funds, from funds to help businesses, to building kindergartens and offering cash payment for school aged children at the beginning of each school year⁵. Besides these incentives, the Hungarian community in Romania is also pushed to find an ally in the FIDESZ government of Hungary by anti-Hungarian sentiments expressed by their own government. As 2020 is a double electoral year in Romania, with both local and parliamentary elections taking place, there has been an increase in nationalist and anti-Hungarian rhetoric coming from political leaders. Even the President, Klaus Iohannis, accused the Romanian Socialist Party of conspiring with the Hungarian minority to "steal" Transylvania for the Hungarian state⁶. Thus, speaking against the hand that feeds you, is not common practice in the Hungarian-language media in Romania. Moreover, it might be seen as a betrayal by some members of the community. In addition, Hungarian-language media organisations seem less inclined to be part of national professional networks - possibly because that could push them towards topics controversial with their funders. Romanian and Hungarian journalists collaborate on

few projects and the reason behind this might have to do with a segregation of the two communities. At least at the political level the two seem to inhabit different worlds. The media landscape, for its part, reflects this separation and encourages it in the same time.

2. Pushing back against challenges for independent media

A Hungarian spinoff in Transylvania - The beginning of Átlátszó Erdély

Átlátszó Erdély was founded based on the experience of political dependency and the resulting clash with journalistic principles by the founder. In 2011, Zoltán Sipos was working for Transindex as a journalist when Kelemen Hunor, a prominent Hungarian politician from Transylvania, became the president of the Democratic Alliance of Hungarians in Romania (RMDSZ). Hunor was also the owner of Media Net Kft., the company owning the transindex.ro domain.⁷ Sipos advanced in his career to become editor and then editor-in-chief at Transindex before he quit his job due to pressures coming from his employers. He describes this process as a slow, insidious one: From uncomfortable silences at editorial meetings to requests to send all articles written on the RMDSZ topic to the owners of the paper for vetting, pressure inside the paper grew until Sipos decided to quit. At that point he was threatened with losing his job once.⁸

Further developments illustrated the political interconnectedness of the Hungarian-language media sector and the political influence. After leaving Transindex, Sipos was unable to find employment anymore at other papers. He was a black sheep in his professional field and, although in personal interactions some people expressed support, they found it impossible to hire him.

Eventually he started collaborating with Átlátszó, a media watchdog and investigative journalism project in Budapest, Hungary, who hosted his blog on Transylvanian news. It became apparent quite soon that he needed to start his own project. With the encouragement of Tamás Bodoki, Átlátszó's editor-in-chief, he founded Átlátszó Erdély in 2015. He received a financial support of 2000 EUR from the sister organization and permission to use its name. Today, the two organizations closely cooperate, but they are separate entities with separate editorial decisions.

Initially Sipos did not have a specific strategy for his organization beyond: „On Átlátszó Erdély I wanted to publish the articles I could not publish on Transindex.” He started receiving funding through projects, hired a couple of colleagues and developed plans for the future. Initially their public consisted of former Transindex

readers who followed him to Átlátszo, but slowly his readership grew and so did his vision for the future.

From a one-man-show to a team

A main challenge, as illustrated by Zoltán Sipos' own experiences trying to find employment after leaving Transindex has been to network with other media outlets and connect to a more diverse audience.

Átlátszo Erdély is based in the rather progressive city of Cluj-Napoca. The content they produce is seen as niche journalism, with which it has been easier to reach an urban audience. The organisations started looking closely at the country side as well. It is highly unusual for a progressive Cluj-based investigative media organization to focus on a rather poor, rural area of Romania to expand its public, but this is the strategy that Átlátszo Erdély adopted in order to expand its audience.

In order to be more relevant for a rural audience Átlátszo started giving more coverage to issues related to small towns and villages from Szekely Land. For this purpose they hired a journalist who is working almost exclusively in Szekely Land. One journalist makes around 2 to 3 fieldtrips to the rural areas in Szekely Land per week, while living full time in the region and. Zoltán Sipos travels there biweekly. They have meetings with readers and keep phone contact with some of them. The materials they publish are disseminated in villagers' Facebook groups. This strategy paid off especially during the local elections, which took place in September 2020. Because of the trust built between the journalists and some local leaders (school teachers, medical staff, etc.), Átlátszo managed to cover the local elections in a way that included a perspective coming from rural Transylvania. Stories such as the case of a mayor, a former member of the Romanian Secret Police during the socialist regime, who keeps getting re-elected⁹ or stories covering the women of Székely Land¹⁰ would not be possible without the trust of their community sources. Unfortunately the Romanian public is still a bit out of reach, although Átlátszo is making efforts to reach out: "This is what we want to do, to build bridges to the Romanian community. And we started by translating our materials, well, those topics we thought would be of interest. This was not a very successful endeavour so far, we have few Romanians who read us. We translate our work and we are making this effort and we really want to have common projects with our Romanian colleagues. I don't know if we managed to achieve that so far, but for now we won't give it up", explains Sipos.

Átlátszo Erdély is, however, the only Hungarian-language media outlet in Romania part of professional networks such as Global Investigative Journalism Network (GIJN), Organized Crime and Corruption Reporting Project - OCCRP, TamTam, a network of Romanian civil society organizations and PressHub, a network of local media organizations from Romania.

Despite these efforts, collaborative projects are scarce. Networking is a form of diplomacy, according to Zoltán Sipos, but true collaboration should come in the form of common investigations, publishing stories relevant for both the Romanian and the Hungarian community and a desegregation of journalism in Romania.

Building an institution

„I would like to build a media institution. I think that one of the big problems facing these people in the Hungarian community who think they are progressive is that they do not have institutions. Everything that existed was captured by RMDSZ or by the Hungarian government. And these people who are not part of the captured institutions, do not have their own institutions. This means they have no projects and no salaries”, Zoltán Sipos, Átlátszo Erdély.

Institutions are entities that survive their funders and this is the type of organization Sipos Zoltán would like to see in Átlátszo Erdély. Currently he is the manager, the editor in chief and one of the three journalists working for the organizations. He fears that if he would disappear one day, Átlátszo Erdély would too. The political pressure on media organizations, combined with poor financial prospects, dissuade many young journalists from staying in the profession.

Átlátszo Erdély's annual budget (which is mainly generated through grants from foundations, the European Union and international organizations and micro-donations) doubled in 2020 to 100,000 EUR. Five years after its birth, Átlátszo hires 3 full time journalists. Given the current size of the organization it should not be impossible to increase human resources to build the organization and make it less dependent on its founder. Scarcity of labour in the media combined with the political pressure surrounding free media serving the Hungarian public in Romania, create obstacles in attracting new talent to Átlátszo's ranks. This is exacerbated by the outlet's uncertainty over future financing: grant cycles of only one year mean that the outlet can offer very little job security to prospective new employees.

To address this problem, Átlátszo Erdély currently conducts ad-hoc trainings for journalists in their immediate network but are missing the numbers needed for a full-blown mentoring program for investigative journalism. More experienced journalists will not cooperate with them because of their ongoing conflict with RMDSZ¹¹ and their connection with Átlátszo Hungary, which in their turn has ongoing conflicts with the Hungarian government. The main reason is that being associated with 'opposition journalists' would endanger some of the funding of journalists at other media outlets.

3. Conclusions

Átlátszo Erdély's story in Romania starts as a story of cooperation between journalists, who faced with attacks and a shrinking space for independent journalism, created cross-national liaisons for support. Their effort of creating an independent media organization has paid off: five years after its inception, Átlátszo Erdély is a successful, growing media outlet in Transylvania.

Structural issues such as lack of financial sustainability, lack of a qualified labor force and political interference in the field, leave independent media organizations especially reliant on the commitment of their founders. In order for these organizations to become institutions, they should aim to have replaceable managers or a pool of qualified people ready to take on the role, a financially committed public and a media ecosystem where collaboration is practiced more than competition. While the situation is not comparable to that in Hungary itself, financial dependency inhibited Hungarian-language media in Romania from acting as independent media. This was the case with Átlátszo Erdély's founder Zoltan's original employer and has hurt their ability fully exploit the talent and experience of their journalists.

The tight links within this community have been contributing to the problem - an issue which is exacerbated by the anti-Hungarian sentiment expressed by leading Romanian politicians. This makes it harder to be seen as breaking ranks, for instance by cooperating with critical media outlets such as Átlátszo Erdély. The

organization has dealt with this problem by cooperating with organisations outside of their immediate community: most importantly with Atlatzso in Hungary, but it has also made efforts to integrate in international and national networks. Collaborative projects with other Romanian organisations are still scarce though.

However, Átlátszo Erdély is also a story of an organization breaking the mold and growing in ways relevant for their local situation. An open mind and an interest in a public often left behind by progressive media led Átlátszo Erdély to rural Hungarian speaking Transylvania, where it finds allies in local elites such as public servants, teachers or medical personnel. To be able to successfully offer an alternative to the existing Hungarian-language media, Átlátszo Erdély has recognised the importance of reaching out to demographics beyond their immediate core audience. This is something that can be recommended to media outlets working in similar contexts. It did not happen automatically, but requires sustained efforts to reach out and be part of the communities you are trying to serve. Reaching a Romanian-speaking audience is a further goal which Átlátszo Erdély would like to achieve.

The future of the organization will now depend on the ability of these networks to sustain its members and to facilitate the building of progressive institutions for both the Romanian and Hungarian community. No organization can exist in a bubble and a sustainable, organic web of solidarity is needed to protect young organisations such as Átlátszo Erdély and others yet to be founded.

Notes

1. Press One (in Romanian): https://pressone.ro/presa-de-limba-maghiara-din-transilvania-este-preluata-de-fidesz?fbclid=IwAR1Oi5yqlyDuL5TvZU95xF5gyMfEo_a7s9fnjgzOCHYCjmLko6U7buXiUN.
An English translation was published here: <https://transylvaniapress.ro/social/2019/07/10/pressone-budapest-government-took-over-the-hungarian-language-press-in-transylvania/>
2. Data on Átlászo Erdély was collected by the author of this case study during an extended interview with Zoltán Sipos, founder of Átlászo Erdély.
3. Kiss, Tamás. (2018). Media Consumption and the Hungarian-Language Media in Transylvania. 10.1007/978-3-319-78893-7_8.
4. See Government Decision nr. 138 of February 13th 2020, which details the funds available for minority-language media and the organisations responsible for the distribution of these funds (in the annex): <http://legislatie.just.ro/Public/DetaliuDocument/223126>
5. Akos Keller-Alant in Balkan Insight, "Living like in Hungary: Orbán Bankrolling Romania 'Ethnic Parallelism'", 30 January 2020, available here: <https://balkaninsight.com/2020/01/30/living-like-in-hungary-Orbán-bankrolling-romania-ethnic-parallelism/>
6. DIGI24, "CNCD i-a amendat pe Klaus Iohannis, PSD și Traian Băsescu" (CNCD fined Klaus Iohannis and Traian Băsescu", 20 May 2020, available in Romanian here: <https://www.digi24.ro/stiri/actualitate/politica/cncd-amenzi-pentru-klaus-iohannis-psd-si-traian-basescu-1310056>
7. Zoltán Sipos in Átlászo Erdély „Új többségi tulajdonosa van a Transindexnek” (Transindex has a new owner), 3 May 2018, available in Hungarian here: <https://atlatszo.ro/szabad-sajto/media/uj-tobbsegi-tulajdonosa-van-a-transindexnek/>.
8. Dumitrita Holdis on the CEU Podcast Library, "Romanian Media Matrix" Podcast, episode 1 - Funding , 20 February 2020, available online here <https://podcasts.ceu.edu/content/funding-media>.
9. <https://atlatszo.ro/velunk-elo-tortenelem/securitate/ex-milicista-a-polgarmestere-az-rmdsz-diszkreten-felrenez/>
10. <https://atlatszo.ro/eroviszonyok/nok-a-videki-rmdsz-ben-valakinek-mosogatnia-is-kell/>
11. Sipos Zoltán in Átlászo Erdély "Informații de interes public: din nou am câștigat în instanță împotriva UDMR" (Public service information: we won again in court against RMDSZ), 25 June 2020, available in Romanian here: <https://Atlatszo.ro/ro/romana/informatii-de-interes-public-din-nou-am-castigat-in-instanta-impotriva-udmr/>.

Conclusions

The various chapters in this publication have all focused on case studies involving one media outlet in a particular context of shrinking civic space. The cases do share many commonalities in the challenges that they encounter and provide examples of strategies that are more widely applicable.

In this conclusions chapter, we present these strategies as recommendations for dealing with three types of challenges that can be found across contexts. Each case study contains a description of the particular ways in which civic space is under pressure, the challenges faced by this media outlet and then the strategies that they employed. This combination is intended so that these strategies – and the extent to which they would be helpful in other situations – can be assessed in their context. Here they are grouped by challenge or theme, so as to give an overview and synthesize some of the lessons that can be learned from the experiences of these media outlets.

The three types of challenges are: (1) ensuring that all audiences have access to independent media serving them; (2) fostering the credibility of independent media; and (3) holding powerholders to account. Each section with a type of challenges is introduced by a general summary, followed by several sub-sections that describe the key observations and strategies from the case studies and the resulting recommendations.

We hope that this will help independent media to resist shrinking civic space – in the contexts described here and in other contexts where media may suddenly encounter similar challenges. In addition, this should help media development organisations and policy makers understand better how they can most effectively support media outlets to do so.

Section 1. All audiences have access to independent media

One of the strategies employed by illiberal actors is to insulate the public from independent media – and in many countries there are large groups of people who are not reached by or do not have access to independent media.¹ This gives illiberal actors an outsized influence on public discourse, which they can wield to slander and delegitimize their critics, and independent media in general, to evade accountability for misdeeds and to maintain support regardless of their policy decisions.

This situation is not only the result of malice on the side of illiberal leaders though. Local media outlets often lack the capacity they need to be fully professional or independent. Meanwhile national independent media outlets are struggling to reach a public beyond their core audiences (who often live in larger cities). These are challenges that media and media support organisations need to address to increase democratic accountability in their societies.

Reaching wider audiences

Many of the independent media included in this study traditionally have the widest reach among certain demographics: generally urban and well-educated. It can be difficult for established (national) independent media outlets to reach out to other groups in society beyond this base. But it is important that they do so, especially when independent media is under pressure due to shrinking civic space: to ensure that everyone has access to independent information and in order to create an impact. Investigating corruption or bad governance at the national level will not lead to improved accountability if most people do not hear about it.

A few recommendations can be identified from the successful strategies described in the case studies:

Include more local stories by building a network of (citizen) reporters. Publishing more (local) stories from a variety of regions can result in a growth of audiences from these regions. Both *Atlatzso Erdely* and *Atlatzso* make use of reporters embedded within communities that are traditionally less well-connected to these media outlets (such as people living in rural or more peripheral regions).

In their *Orszagszerte* (meaning: ‘all over the country’) project, *Atlatzso* recruited and trained a network of contributors of local stories from across the various regions of Hungary. As a result, they saw their readership from the countryside increase tremendously. Some of these reporters already had a journalistic background while others did not. Besides the editor, they work on freelance basis, which does bring some challenges with it, as this is usually not enough to earn a living, while becoming associated with a critical independent media outlet does bring risks with it for the reporter.

On a regional scale, the case study on *Atlatzso Erdely* illustrates this same strategy. To reach a new (rural)

audience in Szeklerland, beyond their core urban audience in their home-base of Cluj-Napoca, they recruited a journalist living in the region and invested in developing relations with local leaders (from school teachers to medical staff). As a result, their stories gained local relevance and are shared through for instance local Facebook groups. It is important to note that this is not a switch that can be turned on at will, but requires sustained efforts to establish and maintain relations. Atlatzso Erdely, for instance, describes regular meetings with readers as well as phone calls with some of them as activities needed to maintain access to the 'inside perspective' on what is happening in different communities.

Print-it-Yourself. In areas where local media outlets have disappeared, the only way to access independent news is through online media. This does not fill the gap for many groups of people though. A strategy to address this is the 'Print-it-Yourself' (Nyomtassteis) initiative, described in the case study on Atlatzso in Hungary. The idea is simple: a weekly newsletter is compiled with fact-based news stories that are left out from pro-government media. This is then printed and distributed by volunteers in a variety of small localities spread across the country.

Effective and independent local media

Several of the case studies describe the problems facing local journalism outlets: lack of professionalism, economic vulnerability and self-censorship as a result of direct pressure or the need to maintain certain relations. The case studies on *Liber in Teleorman*, *Atlatzso and Atlatzso Erdely* describe how many local media outlets are financially dependent on local authorities (or businesses linked to authorities) in a way that limits their ability to hold these institutions to account. This results in a lack of critical reporting.

An activist approach. One way to push back at this is to embrace an unapologetically activist approach, as exemplified by *Liber in Teleorman*. This mentality allowed them to resist becoming economically dependent on local government officials when they tried to exploit their economic dependency. As a result, they managed to make an impact and push back against a lack of accountability in an environment where that might otherwise not have happened. This was greatly facilitated by national media that picked up on this story and enlarged its reach.

Taking an activist or critical approach as a local media outlet can come at a high cost though. It is vital that other actors provide more (financial) support to local media outlets to ensure that local independent media can continue to exist in between the two extremes of 'captured' media that avoid critical reporting on local powerholders and activist media.

National media actively look for and pick up on investigations by local media. It would of course be preferable to have a media landscape with independent local media outlets that are sustainable on the long term. But in the absence of this, a situation where national media outlets are pro-actively on the lookout for initiatives such as *Liber in Teleorman* to pick up on information that they uncover could also help to improve accountability. This requires more local journalists to take this role – a culture which some high-profile examples such as *Liber in Teleorman* could inspire – and for independent national media outlets to be open to such collaborations (while continuing to guard journalistic standards).

The need for this recommendation is also illustrated by the case study on *Atlatzso Erdely*. While they have successfully reached out to new demographics and are embedded in international networks, they describe collaboration with other Romanian media outlets as something that has been impossible thus far. As a result, opportunities for reaching a national, Romanian-speaking audience with their content or conducting investigations and publishing stories of relevance to both Hungarian and Romanian speaking Romanians have not been realized. Since the tight links within their own community have been one of the challenges to overcome for *Atlatzso Erdely*, a greater willingness to pick up stories or collaborate from more established national media would help initiatives like it to be successful.

Call to Action

An example of action that could be taken based on these recommendations, intended to provoke discussion.

A fund, that national media outlets can use to pay local media outlets for reprinting some of their content or to finance forms of collaboration. This would increase the impact of local journalism nationally, while at the same time supporting the continued existence of independent local media outlets and enabling them to do more investigative journalism.

Section 2. Independent media are seen as credible

The decline in trust in independent media is a serious problem, which can be exacerbated by powerholders. Illiberal actors often seek to undermine the check on their power that independent media is supposed to provide. One of the ways they do this, is by fostering a toxic atmosphere for journalists and undermine the

credibility of independent media in the eyes of the general public.

It is not only the deliberate attacks by powerholders that contribute to this atmosphere. In many countries, media outlets have seen their income fall and traditional business models become less reliable. The resulting need to cut costs, together with the rise of 'click driven' publications and forms of competition that reward speed over accuracy mean that professional standards are under pressure. This risks harming the reputation of the media sector as a whole, as has been noted of several of the countries described by the case studies here.

Together, this undermines the ability of independent media to generate impact. In the face of these challenges, it is important that independent media build and maintain their credibility towards their audiences.

Professional standards

A lack of professional standards contributes to a deterioration of media credibility. In order to gain credibility in this environment, independent media have worked hard to prove their reliability. Upholding professional standards is important for its own sake, but independent media also need to do so in order to win the trust of audiences that have gotten sceptical about media in general as well as to protect themselves from attacks by powerholders.

Independent media described by the case studies in this publication, such as Oštro, KRIK and Atlatszo, have taken it upon themselves to make sure that there can be no doubt about the credibility of the stories they publish. Several strategies contribute to this aim.

In-house training. Both Oštro and Atlatszo Erdely have set up programmes to train young or otherwise new journalists inside their organisations. This practice helps to build and maintain professional skills and standards within the organisation.

As a strategy, this can be particularly useful to deal with an environment that makes this otherwise difficult: because the journalistic culture in the surrounding media landscape does not instill a strong sense of professional journalistic standards, as is the case for Oštro, or because the political environment makes it difficult to attract experienced journalists, as is the case for Atlatszo Erdely.

Implementing such a programme can be challenging for very small media outlets though: despite the need, the small size of Atlatszo Erdely means that they are limited to ad-hoc trainings rather than being able to set up a full-blown mentorship programme.

Addressing false information. The case studies on Oštro and Atlatszo both describe efforts to address the large amount of false information present in the media space.

Oštro's fact-checking project, *Razkrinkavanje*, has grown into a central activity that is much appreciated by its audience. In line with its general community-oriented approach, Oštro receives and responds to requests from their audience on what to check. This can be recommended to other media outlets with fact-checking capacity, as it positions the media outlet as a credible reference point for the veracity of information that is being circulated.

Another approach to address false information is enhancing the ability of audiences to critically consume information. An example of this is the *Alhivadasz* media literacy tool developed by Atlatszo, to help audiences to distinguish reliable news from information designed to distract or misinform.

Resisting delegitimization

In several of the countries covered by this publication, the public is told to be suspicious of media outlets: political actors promote a narrative that brandishes independent media as 'fake news' and delegitimizes their right to criticise the government or accuses them of conspiring against the country when they do. Several case studies also point out that the presence of a large group of 'tabloid media', participating in the spread of misinformation or smear campaigns against other journalists, has contributed to a toxic environment for independent media.

When publishing an investigation, independent media can expect smear campaigns or other attempts to suppress or delegitimise the story. The chapter on KRIK therefore recommends conducting an in-depth risk assessment before publication, anticipating what options decision-makers can take to harm the reputation of the media outlet or the credibility of the story.

Verification and robust checks in the editorial process. Verification refers to the practice of fact-checking the articles you publish yourself and is should be considered part of professional standards in journalism. Putting particular emphasis on verification and robust checks in the editorial process, beyond being good practice in itself, can be an important strategy to defend against push back.

The case study on KRIK describes how deliberate efforts to go above and beyond regular verification practices were done in anticipation of the negative response that their story would like provoke in powerholders. This foresight helped the outlet when pro-government media attempted to discredit their reputation or findings and provided a protection against litigation.

The case study on Oštro stresses the importance of robust checks in the editorial process in building a reputation of credibility and winning the trust of audiences, who have low trust in media generally because they are used to partisan or sensationalist

media outlets. Maintaining strong relations with the public helps to counteract attempts to smear or delegitimize a media outlet to its audiences.

Without credibility, stories published by independent media will not contribute to accountability of powerholders. This is therefore an essential strategy for independent media outlets, but particular emphasis is needed when small mistakes might be exploited by political actors or when audiences have a low general trust in media outlets.

Avoid red herrings. A further danger is that attempts by governments and pro-government media to depict independent media as political enemies can often result in situations that seem to confirm this frame. Attempts by independent media to push back at accusations launched in their direction and call out these attacks as politically motivated can create an impression that these are indeed two political camps fighting each other – and that critical reporting by independent media on decision-makers is therefore also politically motivated. This creates a dilemma, because often independent media will indeed publish more about misdeeds of political or business leaders who are in power: while it is important to investigate wrongdoings regardless of political stance (or absence thereof), those in power simply make more decisions that need to be scrutinized and can result in wrongdoings.

Atlatzo's strategy for dealing with this challenge has been to actively identify 'rubber bones' (red herrings). Often politicians will commit acts or make statements that seem outrageous and are intended to provoke. Recognizing when this happens allows an independent media outlet to resist being drawn into an ideological clash, especially when this is done as a distraction from corruption or the negative effects of bad governance.

Call to Action

An example of action that could be taken based on these recommendations, intended to provoke discussion.

Capacity (in the form of a specialized editor or team) for fact-checking and verification could be shared among multiple media outlets in the region. This would reduce the cost and make such specialized function more accessible to participating media outlets.

In addition, if it is independent enough then it could also provide a 'quality label' ("our facts are checked"). This would support the reputation of participating media outlets, including smaller or newer outlets.

Section 3. Independent media hold powerholders to account

Shrinking civic space involves efforts by powerholders to prevent independent media outlets from continuing to operate, by limiting their ability to access public information, reach an audience and achieve impact. This is because independent media function as a check to their power, by fostering accountability for their actions and decisions as well as by bringing the various problems facing various groups in society to the public's attention. When they do so successfully, media outlets contribute to keeping civic space open, creating a space for individual citizens and groups in society to scrutinize decisions affecting them and to air their grievances.

Accessing information

Obtaining access to information is an important element of investigative journalism in any context, but this is often made more difficult as part of the process of shrinking civic space. Public authorities often become less transparent about their data; independent media outlets can be refused access to press conferences or not have their questions answered; and the ability to obtain information through Freedom of Information request can be curtailed. The media outlets included in our case studies have illustrated a few effective strategies for gaining access to more information regardless.

Cross-border collaboration. Collaboration with other independent (investigative media outlets across borders can help to more effectively investigate and puzzle together the parts of a story that cross borders. But in contexts where access to information is constrained, it can also be useful to gather information that is being suppressed in one country, as the case study on the Serbian media outlet KRIK and their collaboration with Bulgarian Bivol details. In their experience, it has been important to ensure that all communication and information exchange was done in a secure manner, to avoid the story leaking and alerting powerholders.

Cross-border cooperation can also help to establish independent (investigative) media outlets in media landscapes where they are missing. In the case of Atlatzo Erdely, the Hungarian-language media landscape in Romania left no space for journalistic initiatives that broke with dominant political influences. The founder of this outlet, however, decided to cooperate with a media outlet from across the border for initial support. Cross-border collaboration allowed them to carve out a space in their own media landscape, despite a lack of local opportunities for collaboration.

Engaging with audiences. Audiences can be a valuable source of information, especially when the media outlet has managed to build a trusted relationship with them: in the form of a sense of community and/or the credibility that something might be done with

the important information that they may hold. Several approaches have been used to engage them in the process of information gathering or providing leads.

Besides reaching a difference audience, having journalists develop close contacts with specific audience groups also helps to gain access to local insights. Atlatzso Erdely and Atlatzso have made use of reporters that are embedded within communities that are traditionally less well-connected to these media outlets. In some instances, this can lead to scoops and story leads provided directly by members of the audience.

In a different manner, Oštro has set up a membership programme in order to actively engage their audience. Beyond providing a source of income, the goal of this programme is to build a sense of community, where 'correspondent members' are encouraged to share their professional knowledge. This is a great source of expert advice as well as supporting the verification of facts in specialised fields. When employed successfully, this strategy increases the expertise available to a media outlet while simultaneously encouraging public debate. An additional advantage is that it is feasible in difficult economic conditions as well and can counteract gaps in areas of expertise present inside small investigative media outlets.

A related, but more specific means of gaining access to information from members of the public is through establishing whistle-blower platforms. Both Oštro and Atlatzso have set up such platforms: Zvizgac.si and MagyarLeaks. When set up properly, such platforms allow anyone to 'leak' documents or other forms of information of public interest anonymously to the media outlet. They can then use this information as the starting point to investigate further.

Impacting accountability

Most of the case studies included in this publication describe media outlets seeking to impact accountability - by drawing attention to the stories that they have investigated and by fostering a culture of accountability. Publishing a story is often not enough to create an impact however, especially when the subjects of these stories are seeking to avoid accountability. The case studies describe several strategies that media outlets have employed successfully to draw attention to their investigations and hold their subjects to account. Together, they should help to foster a culture of accountability.

Seeking confrontation. Several of the case studies showed success using a strategy of seeking confrontation with powerholders or with the pro-government media that is protecting them. This is especially the case when the (powerful) subjects of an investigation - as well as media outlets aligned to them - seek to prevent a story from gaining traction. A more confrontational approach can then be used to attract attention to a story and keep it in the public eye.

The chapter on KRIK describes how, after KRIK published their findings, pro-government 'tabloid media' sought to detract attention from the story and attacked their credibility. This pushed them in a reactive position: "work (...) from the trench where they want to put you" as they phrased it themselves. Confrontation with a senior politician flipped this dynamic around, and drew attention to the existence of this story. The case of Liber in Teleorman illustrates the same dynamic, where a confrontational approach ensured that the story did not die and that eventually the attention of media outlets with a wider reach was drawn to the situation. KRIK sought to provoke a reaction from the powerful subject of their investigation, Sinaša Mali, asking questions about the case at every possible occasion. In a different manner, Liber in Teleorman was relentless in drawing attention to the corruption they had uncovered at the local level of leading national politician Liviu Dragnea.

This is a reversal of the strategy of 'avoiding red herrings' in the previous section: drawing powerholders or pro-government media into a confrontation on issues that do not distract from but rather draw attention to misdeeds or bad governance. This can also help to strengthen the credibility of the media outlet involved, especially the response from powerholders is dismissive or less than satisfying.

Involving and activating the public. When media outlets seek to improve the accountability of powerholders, this is an accountability to the wider public. Ways to involve and activate the public in processes of accountability can therefore have a powerful impact. This includes both the vital role that audiences can play in ensuring that the findings of investigative journalism leads to impact, as well as media outlets supporting the ability of the public to involve themselves in accountability processes independently.

The chapters on both KRIK and Liber in Teleorman describe how they deliberately sought to involve the public in pursuing the subjects of their investigations. Liber in Teleorman did so in a very direct manner, that fanned the flames of protests against these actions. For KRIK, drawing the public in the 'search' for Sinaša Mali drew attention to his reluctance to comment on the results of the investigation and on the story itself.

As a different form of activating the public, the chapter on Atlatzso mentions how citizens ask local representatives directly about stories published by Atlatzso's Orszagszerte project. This may not always be a deliberate result at first, but is certainly a form of impact contributing to a culture of accountability. Recording and following up on stories that have this type of impact can therefore be an effective strategy. Examples of tools that facilitate the watchdog role of citizens themselves can also be found in the chapter on Atlatzso. They include a platform that helps with (anonymous) public information requests, to make use of any FOIA-laws in place and a toolkit with tools and databases to do your own investigation.

Meanwhile the case study on Oštro provides an example of how this strategy can be applied across the organisation. Public editorial meetings are used to strengthen the relation between the media outlet and its audience, while they increase the impact of Oštro's investigations on society.

Call to Action

An example of action that could be taken based on these recommendations, intended to provoke discussion.

Cooperation between civil society organisations – particularly those representing a specific community or with expert knowledge – and media outlets should be facilitated. This would benefit both types of organisations, who are dealing with similar challenges.

For media it could help with both access to information and engaging and activating the public. Civil society organisations can provide valuable leads or input (whether expertise or lived experiences) for stories and investigations, while they can use the outcome of these investigations to organise further activities or to take a more opinionated stance than media often can.

Notes

1. See for instance the conclusions of a fact-finding mission of a coalition of seven Press Freedom organisations, including Free Press Unlimited, to Hungary: "Conclusions of the Joint International Press Freedom Mission to Hungary," available online: https://www.freepressunlimited.org/sites/freepressunlimited.org/files/image_newsarticle/europa/hungary_conclusions_-_international_mission.pdf

Bibliography

- Bátorfy, A. (2019): "Hungary: A Country on the Path towards an Authoritarian Media System", in Giannokopoulos, A. (ed): *Media, Freedom of Speech, and Democracy in the EU and Beyond*. Tel Aviv: Tel Aviv University.
- Bátorfy, A., Hammer, F., Galambosi, E. (2020): *Monitoring Media Pluralism in the Digital Era: Application of the Media Pluralism Monitor in the European Union, Albania and Turkey in the years 2018-2019. Country Report: Hungary*. Florence: European University Institute, Centre for Media Pluralism and Media Freedom.
- Bátorfy, A. (2020): *The Past Ten Years of the Hungarian Media*. Budapest: Atlatszo.
- Bermeo, N. (2016): "On Democratic Backsliding" *Journal of Democracy*, 27 (1), 5- 19.
- Brogi, E., Nenadic, I., Parcu, P., Azevedo Cunha, M. (2018): *Monitoring Media Pluralism in Europe: Application of the Media Pluralism Monitor 2017 in the European Union, FYROM, Serbia & Turkey*. European University Institute: Centre for Media Pluralism and Media Freedom
- Buyse, A. (2018) "Squeezing civic space: restrictions on civil society organizations and the linkages with human rights," *The International Journal of Human Rights*, 22(8), 966-988
- Center for the Study of Democracy (2021) *Capture Proofing Media in Southeast Europe*, Sofia: Center for the Study of Democracy.
- Dragomir, M. (2019) *Media Capture in Europe*, Prague: Media development investment fund.
- Filippov, G. (2020): *Nations in Transit 2020 - Hungary*. Washington: Freedom House.
- Filipova, R. et al. (2021) *Tackling Kremlin's Media Capture in South-east Europe*, Sofia: Center for the Study of Democracy.
- Firmin, A. (2016): *Enabling Environment National Assessments: Civil Society Response Strategies*. Johannesburg: Civicus.
- Goris, Y. (2017): *Activism, Artivism and Beyond: inspiring initiatives of civic power*. Amsterdam: Partos.
- Hayes, B., Barat, F., Geuskens, I., Buzton, N., Dove, F., Martone, F., Twomey, H., and Karaman, S. (2017) *On "shrinking space" - a framing paper*, Amsterdam: Transnational Institute.
- Holdis, D. (2019): *Media Influence Matrix: Romania*. Budapest: CEU Center for Media, Data and Society (CMDS).
- Human Rights House Foundation (ed.) (2017): *Resisting ill democracies in Europe. Understanding the playbook of illiberal governments to better resist them: A case-study of Croatia, Hungary, Poland and Serbia*.
- Kiss, T.. (2018). "Media Consumption and the Hungarian-Language Media in Transylvania." In: Kiss, T., Szekely, I., Bardi, N., Horvath, I. (eds.): *Unequal Accommodation of Minority Rights*. Cham: Palgrave Macmillan.
- Lührmann, A., Lindberg, S. (2019): "A third wave of autocratization is here: what is new about it?" *Democratization*, 26(3), 1- 19.
- Lupu, C. (2020): *The State of Romanian Mass-Media 2020*. Bucharest: Center for Independent Journalism.
- Milojevic, A., and Krstic, A. (2018) "Hierarchy of influences on transitional journalism- Corrupting relationships between political, economic and media elites," *European Journal of Communication*, 33(1), 37- 56.
- Muis, A., Troosy, L. van (eds.) (2018): *Will human rights survive illiberal democracy?* Amsterdam: Amnesty International Netherlands.
- Mungiu-Pippidi, A. (2012): "Freedom without Impartiality. The vicious Circle of Media Capture", in Gross, P. & Jakubowicz, K. (eds.): *Media Transformations in the Post Communist World*, Lexington Books, UK
- Newman, N., Fletcher, R., Schulz, A., Andi, S., Nielsen, R. (2020): *Reuters Institute Digital News Report 2020*. Oxford: Reuters Institute.
- Polyák, G. (2019): "Media in Hungary: Three Pillars of an Illiberal Democracy", in Polonska, E., Beckett, C. (eds.): *Public Service Broadcasting and Media Systems in Troubled European Democracies*. Cham: Palgrave Macmillan.
- Puddington, A. (2017): *Breaking Down Democracy: Goals, Strategies, and Methods of Modern Authoritarians*. Washington: Freedom House.
- Puddinton, A. (2018): "Authoritarian Internationalism for the 21st Century" In: Muis, A., Troosy, L. van (eds.) *Will human rights survive illiberal democracy?* Amsterdam: Amnesty International Netherlands
- Repucci, S. (2020) *Freedom in the World 2020; a leaderless struggle for democracy*. Washington: Freedom House.
- Szicherle, P. (2018): *Hogyan küzdjünk a dezinformáció ellen?* Budapest: Political Capital.
- Van der Borg, C., and Terwindt, C. (2014) *NGOs under Pressure in Partial Democracies*. London: Palgrave Macmillan.
- Zakaria, F. (1997): "The Rise of Illiberal Democracy" *Foreign Affairs*, 76(6) , 22- 43.

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Strategies for independent media facing
the challenges of shrinking civic space

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