

Bulgaria

TV prime time domestic news BTV and bTV

BLURRING OF BOUNDARIES BETWEEN PUBLIC AND COMMERCIAL TELEVISION

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Introduction

Although from January 1st 2007, Bulgaria is a full member of the European Union, successfully completing its accession process, there are certain areas such as improved rule of the law, judicial reforms, control of corruption, and increasing the capacity of public administration, where still a lot has to be done in order to catch up with EU standards and requirements. It is normal to expect that the media will also concentrate on the achievement of these objectives of primary importance to the public agenda. The media industry, however, seems to have veered more towards a further growth in the advertising market, an increase in commercial content dominated by "reality" shows and entertainment and increasing concentration of media ownership than towards the realization of public interest goals. In this introductory part only the major problems the media have to face will be outlined and then the market situation will be described in more detail. Special attention will then be paid to the licence obligations of the two televisions under survey in this report, the public Bulgarian National Television and the biggest commercial operator in Bulgaria, bTV. Against this background it will be possible finally to present and comment on the results of the monitoring.

TV media situation in Bulgaria

Positive developments

As one of the important positive developments in recent years concerning the media in Bulgaria we can see the more favorable market setting for the media, resulting from the overall economic improvement visible in all business areas. The country's economy has been growing steadily for the past eight years. The advertising market is also rapidly expanding, and tax structures are not restrictive on media.

In the last decade, the media in Bulgaria have been unflinchingly judged as well-run businesses. The national bTV Channel, for example, was announced as the fastest growing News Corp. station in the world. The business development of media can be described as consistent. There are no financial levers by which the state or its institutions can politically manipulate the content and management of commercial media. They are able to generate revenue from a variety of sources: advertising, sponsorship, and sales. The annual advertising revenue in the media sector has grown over 50 per cent compared with 2005, and expectations for this year show even greater growth. Meanwhile, the professional staff at the news agencies and at the outlets, as well as the developed media market as a whole, ensure that commercials are aired in compliance with corresponding norms and regulations. We have to mention here that subscription fees represent a minor source of revenue for outlets.

Along with the positive developments in the media, it is certainly worth mentioning the unrestricted access of Bulgarian journalists to international sources of information. The media in Bulgaria have practically unchecked access to international sources. This is a sustainable pattern over the course of recent years.

Forward movement has also been registered regarding the journalists' access to public information. Journalists have improved their skills in seeking information from state institutions, which in turn are more and more aware of their responsibility to provide information. The increased awareness of the possibilities offered by the Access to Public Information Act has helped Bulgarian journalists more successfully request information from state institutions. Furthermore, there has been increased publicity

generated by lawsuits against institutions that refuse to provide requested information.

Every outlet strives to ensure coverage of the key events to enrich its information content and improve its competitiveness. This was proven during the election campaign for both the 2005 general elections and 2006 presidential elections. For the time being, programming is not overly unbalanced, but even the public media's output is beginning to be dominated by entertainment. Faced with extremely tough competition, the leading television companies have increasingly begun to air quiz shows, raffles, and reality shows as a major part of their programming. Although not entirely subordinating news and current affairs, entertainment has visibly started to expand its reach.

Another positive trend is that there are no particular impediments to entry into the journalistic profession. However, the unimpeded entry into journalism is sometimes regarded as a setback, as it is believed to compromise the quality of journalistic output, especially at regional outlets. In such cases, these outlets are recruiting young and untrained new staff who learn the profession on an ad hoc basis. Many of them are willing to make personal and professional compromises to keep their jobs.

The pay levels for journalists and other media professionals are relatively high and proportionate to other industries, but only at the large national media. Top professionals there may earn more than four times the national average. On the other hand, smaller local media often pay only the minimum wage for the country. Low payment for journalists at small or local outlets is often compounded by the lack of proper employment contracts. Journalists are frequently paid at the minimum state wage level. These wages can be supplemented, depending solely on the owner's whims. Thus, journalists become financially dependent on the owners, thereby leading to an unstable workplace, staff turnover, and the loss of a skilled force to other industries, especially PR.

Finally, we have to mention that the large commercial broadcasters like bTV and Nova TV, who have national coverage, use market and audience research to shape content. This is not a well-established and sustainable practice, however. Smaller outlets do not use research and rarely employ audience measuring to strategize on their development. The efficient market-driven operation of the

Bulgarian media is compromised by the lack of reliable ratings and circulation figures. There are only two people-meter groups - TNS and GFK (GARB), working in partnership with a local business. The objectivity of the people-meter system is widely questioned because allegedly its owners have stakes in media outlets and advertising agencies. The same people-meters that produce viewership data also provide circulation figures and radio-audience measurement.

Challenges

One of the major problems facing the media industry in Bulgaria remains the inability of its regulatory system to tackle effectively all the issues related to the political and economic independence of the media - and to allow the public service broadcasters to perform their function as a pillar of democratic society. The IREX 2005 and 2006 Media Sustainability Index shows unambiguously that in Bulgaria media freedom is undermined by ongoing interference, mainly corporate and economic, but sometimes also political. In this context, the improvement and efficient implementation of media legislation along with considerable changes in the Law for Radio and Television and the main broadcasting regulator, the Council for Electronic Media (CEM), remain important tasks to be solved.

Despite the stable development in key media areas, the licensing process is one aspect that is still lacking sufficient growth. The total absence of licensing over the past few years, though renewed over the last eight months, has placed the legitimate licencees at a disadvantage against outlets that broadcast without having undergone the compulsory official procedures. Most of the temporary permits have long since expired, but because no new licences have been awarded, the permits are still considered valid. This results in a kind of licensing that circumvents legal provisions instead of adhering to them. Licensing was stopped in 2001, when Parliament passed amendments in the Radio and Television Law requiring the adoption of a Strategy for the development of broadcasting before any new licences could be issued. In 2005, this Strategy was finally adopted by the government

and submitted to Parliament, which opened the way for renewed licensing.

Little improvement is registered in the equal treatment of commercial and public media and the provisions for former state outlets' editorial independence. Although formally granted independent status, the public media have not yet been completely weaned away from the state. First, these outlets continue to receive subsidies from the state budget, and second, they are potentially prone to manipulation through the appointment of their Directors-General. One of the main reasons for this is that the public outlets' directors are appointed by the Council of Electronic Media, which is composed of members either elected by the political parties represented in Parliament or appointed by the President.

The media situation is aggravated to a certain extent by the fact that the means of settling libel disputes remains problematic. Libel is no longer a penal code matter, but according to the domestic legislation, defendants should prove the truth of their statements. This is sadly complemented by the fact that accountability of public figures is held in no great esteem.

A major problem that the media have to face is the increasing self-censorship, which is usually attributed to economic, not political, motives. This practice arises because some outlets are either owned by certain business groups or the media owners have certain political or business affiliations. Therefore, editorial policies and sales plans take into consideration the need to protect those interests. As a result, critical coverage or investigations into business partners are restrained, while the improprieties of the competition are widely publicized. Whereas national media practice self-censorship less visibly, self-censorship is more apparent at smaller outlets, especially in cities with more developed business sectors. Self-censorship has proven to be an alarmingly persistent practice for years now, and seems impossible to overcome.

The public service mission of BNT is another crucial issue, which relates to both governance structure and programme policies (thematic quotas and quality). Public debate on public service broadcasting showed a consensus in the media community with respect to the principles with which public operators should have to comply, but not on how these principles should be made operational.

The Bulgarian model of public service broadcasting, as implemented by BNT, is not as a niche broadcaster offering content that commercial operators would not offer, but rather a mass audience broadcaster with a full range of content. The licences of the three national television broadcasters show overwhelming similarities, as far as their thematic quotas are concerned, and entertainment dominates over other programme strands in BNT output, as the subsequent part will show.

The Law on Radio and Television allows commercial operators to define themselves as "public service" outlets, provided that they carry out programme activity and broadcast production aimed at public interest. Regrettably, the number of operators that have taken this opportunity is too limited, due to the small chances that they have of competing on the media market. The non-existence of the Radio and Television Fund, though envisaged by the Radio and Television Law (relying for its establishment on the subscription fee to be charged), means that they cannot get subsidies for programmes that serve the public interest. This is directly reflected in the negligible number of programmes aimed at citizens for whom Bulgarian is not their mother tongue, as well as in the insufficiency of broadcasts for people with disabilities and underprivileged groups.

TV market

Broadcasting is among the most liberalized sectors, including the use of satellite capacity. According to data from the Council of Electronic Media (CEM) from 2006, currently there are 203 licenced TV operators (seven terrestrial and 196 cable and satellite) and 143 licenced radio operators.

In 2007 there are three operators of terrestrial television broadcasting with active licences for the whole territory of Bulgaria - Nova TV, the Bulgarian National Television (BNT) and Balkan News Corporation (bTV), which cover 90% of the country. For Nova it is 91%, while for BNT and bTV it is 98%.

The market shares of these three are as follows:

BNT - 19.2%

bTV - 32%

Nova TV - 24.8%

The other TV stations, which register some market share, are:

Planeta TV - 3.3%

Diema + - 2.7%

Evrocom Sofia - 1.4%

Diema 2 - 1.4%

Skat TV - 1.3%

MSAT - 1.2%

Alexandra TV - 1%

TV Evropa - 1%

According to the latest surveys, the audience share of bTV moves between 30% and 40% throughout the day, that of Nova TV between 15% and 25%, and the one of BNT between 5% and 10% (see the Table). According to another survey, bTV is preferred by half of the Bulgarians, while its commercial competitor, Nova TV, is preferred by 1/5 of the population. Every 1 in 6 likes best BNT.

The two terrestrial commercial television operators, bTV and Nova Television, licenced to broadcast on national level, are both owned by foreign capital. The reason for that is the lack of restrictions on foreign ownership. As a result, some big media companies such as News Corporation, Antenna Group and Metromedia Group, are well represented on the Bulgarian market, which has had a positive effect on the Bulgarian media sector development. The stronger competition, along with the drive to get a larger portion of the advertising market, has boosted the development of new genres and resulted in better quality of production, at least with regard to bigger operators.

bTV, the commercial television under survey here, is the first private national television in Bulgaria, licenced in 2000, and it is 100 per cent owned by News Corp. - Rupert Murdoch's company, active in a variety of areas, such as: television, filmed entertainment, newspapers, etc.

The licences for a national programme and frequency were granted to Balkan News Corporation. It was in the 2001 Annual Report of News Corporation that the Balkan News Corporation was first listed as a company owned by News Corporation. The News Corporation's annual reports for the last years have revealed that the channel has developed successfully, and in 2002

it managed to double its profits to BGN 10 million (over €5 million). According to the revenue data, bTV has left behind even WAZ companies that own the largest circulation dailies in the country.

Programme obligations

Public television

Licence requirements

Bulgarian National Television is the biggest and the only non-commercial public TV operator in the country. Although there are general programme obligations and guidelines applicable for both the commercial broadcasters and the public service broadcasters in Bulgaria, the Radio and Television Law envisages additional requirements with regard to the programme content broadcast by BNT as a national public television operator.

All broadcast operators are obliged to:

- provide programmes for all citizens of the Republic of Bulgaria;
- assist the development and popularization of Bulgarian culture and Bulgarian language, as well as of the culture and the language of the citizens in compliance with their ethnic belonging;
- provide through their programmes access to the national and European cultural heritage;
- include in their programmes broadcasts which inform, educate and entertain;
- apply the new information technologies;
- relate the various ideas and convictions of society by pluralism of the points of view in each and every news and current affairs broadcasts of political and economic subject;
- contribute to the mutual understanding and tolerance in the relations between people;
- provide possibility for the citizens to acquire information regarding the official position of the state on important issues of public life.

BNT is obliged upon request immediately and free of charge to provide programme time for official announcements of representatives of the state bodies in cases of calamities or direct threat for the life, the security and the health of the population or individual persons.

The President of the Republic, the Chairman of the National Assembly, the Prime Minister, the Chief Prosecutor and the Chairmen of the Constitutional Court, the Supreme Administrative Court and the Supreme Court of Cassation have free right of address on BNT.

By a decision of the National Assembly, BNT is obliged to provide programme time for direct broadcasting of plenary sessions. The provision of programme time is free of charge, and this right is very often exercised, but all surveys show that viewers find this extremely boring and at best it is used for political PR. At the same time, those broadcasts make the observation of preliminary programme schedule very difficult and also burden the budget of the operators. Along with that, they hardly enjoy high audience interest.

According to the provisions of the Radio and Television Law, producers of news and current affairs programmes of political and economic subject, included in the programmes of BNT, can only be BNT, a clause criticized by European experts and media professionals as limiting editorial independence.

Concrete programme obligations are specified in the **programme licence** of the BNT. The national public service broadcaster is obliged to broadcast:

- News - not less than 5.1 per cent of the daily programme time. Not less than 15.6 per cent of the entire news programme time should be dedicated to regional news and not less than 0.7 per cent of the news should be accompanied by a translation for deaf people.
- Current affairs programmes - not less than 16.6 per cent of the weekly programme time.
- Educational programmes - not less than 3.7 per cent of the weekly programme time.

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- Cultural, scientific, religious programmes, etc. - not less than 4.7 per cent of the weekly programme time.
- Programmes for children and youth - not less than 7.6 per cent of the weekly programme time.
- Programmes in support of the integration of underprivileged groups and groups at risk - not less than 1.8 per cent of the monthly programme time.
- Programmes for Bulgarian citizens whose mother tongue is not Bulgarian - not less than 0.3 per cent of the annual programme time.
- European and Bulgarian production - not less than 74.9 per cent (Bulgarian production - not less than 43.5 per cent).
- BNT own production - not less than 36.7 per cent of the annual programme time.
- Independent producers' production - not less than 10 per cent.
- Additional programme requirements - news in Turkish language.
- Additional services - TELETTEXT.

Commercial television

Licence requirements

There are certain obligations imposed on both public service and commercial operators by law which aim at guaranteeing the basic right of the audience to obtain impartial and accurate information.

Thus, both the commercial and the public operators have the right to obtain the necessary information from the state and municipal bodies if it does not contain a secret stipulated by a law and they are obliged to use precisely and in unbiased way the obtained information (Art. 13 of the Radio and Television Law).

This requirement is not always adhered to, since often the information is given far beyond the time when it can be of public interest. There were even cases when even after a court decision to provide the needed information it has not been made available. Such practices strongly impede the work of the journalists and create feelings of de-motivation.

The commercial operators are obliged to ensure that the news, as informational facts, is separated from opinion (Art. 17 (6) RTL).

The Radio and Television Law envisages that in carrying out their activities the broadcasting commercial operators shall be guided by the following principles:

- guaranteeing the right to free expression of opinion;
- guaranteeing the right to information;
- preservation of the anonymity of the source of information;
- protection of the personal inviolability of the citizens;
- non-admission of programmes suggesting intolerance among the citizens;
- non-admission of programmes contradicting the good manners, especially if they contain pornography, praise cruelty or violence or instigate hatred based on racial, sexual, religious or national ground;
- guaranteeing the right to response;
- guaranteeing the copyright and related rights of the broadcasts and programmes;
- preservation of the purity of the Bulgarian language.

The law stipulates that the programmes are to be broadcast in the official language according to the Constitution of the Republic of Bulgaria.

The programmes or individual broadcasts can be in other languages when:

- they are broadcast with educational purpose;
- they are designated for Bulgarian citizens whose mother tongue is not Bulgarian;
- they are designated for listeners or viewers from abroad;
- foreign radio and television programmes are retranslated.

There are concrete programme obligations specified in the **programme licence** of bTV. It is obliged to broadcast:

- news - not less than 7 per cent of the weekly programme time;
- information and commentary programmes - not less than 12 per cent of the weekly programme time;

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- educational programmes - not less than 7 per cent of the weekly programme time;
- cultural, scientific and religious programmes (etc.) - not less than 2 per cent of the weekly programme time;
- programmes for kids and youth - not less than 10 per cent of the weekly programme time;
- programmes in support of the integration of underprivileged groups - not less than 1 per cent of the monthly programme time;
- European and Bulgarian production - not less than 55 per cent of the annual programme time;
- bTV own production - not less than 26 per cent of the annual programme time;
- independent producers' production - not less than 13 per cent of the annual programme time.

According to the latest surveys, bTV is reaching out primarily to the same age-group audience as BNT since it relies on a fixed programme schedule and the serial broadcast of programmes as is the case of BNT. Unlike BNT, however, its programming draws the largest number of viewers in Bulgaria and for five years it has remained the undisputable leader.

Analysis of the monitoring

On the basis of the developments and licence requirements outlined above, some trends can be discerned with regard to the monitoring process carried out in April 2007 according to the guidelines of the present survey.

The monitored prime time news programmes include 150 news entries for BNT and 188 for bTV. They are aired from 8pm to 8.30pm on BNT and from 7pm to 8pm on bTV. The monitoring has been done through April 2007. Prime time news programmes on these two channels are presented by a man and a woman, so no gender bias can be stipulated in this respect.

Out of the overall news entries, almost an equal percentage was devoted to the countryside, 11% for BNT and 14% for bTV. But as we can see from the programme requirements, BNT has

an explicit requirement set for not less than 15.6 per cent of the entire news programme time to be dedicated to regional news. If we assume that the prime time news programme is a reflection of the overall tendency, at least with regard to the monitored period, it is hardly possible to conclude that BNT fulfils duly this requirement. Moreover, it is left behind bTV, which has no such requirement set in its licence. It is obvious that the Law has made this provision in view of ensuring that the public television carries out its role of serving the public interest, but BNT seems to be moving into the direction of satisfying the tastes of particular segments of society that will attract more advertising revenue for the television. This is confirmed also by the fact that the most widely watched programme in Bulgaria has for some time been one of the soap operas broadcast by BNT, while its prime-time news programme is the sixth in rating.

This move towards more sensational and popular content is reflected in the comparison of the topics of the monitored items. Very high percentage for both televisions goes to crime, 17% for BNT and 19% for bTV. This undoubtedly says a lot about the main problems faced by Bulgarian society. If we look at the media as the mirror held in front of society, then the conclusion is that Bulgarian society is very sick and there is no wonder why the EU is following so closely the reforms in the judicial system and internal affairs in the country. Considering the fact, however, that the media is also among the strongest factors that shape the public opinion and civic value, then such a central focus in covering crime could somehow bring about its banalization. Hence, handling crime on television should be dealt with very carefully, granted its far-reaching consequences for the public attitudes towards it. Moreover, as prime time news is the time when children and under-aged are still among the potential audience, additional attention should be paid to stick to the principles of good taste and fair reporting.

As far as topic content is concerned, there seems to be another trend for comparison between the two channels. The number of news entries about domestic political life (part politics) is drastically different for the two televisions. If for BNT they are 21% of the whole, for bTV they are almost twice less, 11%. This fact can be explained with the preoccupation of the public television

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with the political situation in the country, predetermined by its dependence on the state budget and its tendency to include more protocol news which often is not reflecting the public agenda, while bTV relies on the inclusion of more "human interest" stories in its news programmes. As part of this policy, we have the regular inclusion of a programme item under the heading of "the good news". Further evidence in this respect is the place of the news entries in the agenda of the day - for bTV 71% of the entries completely correspond to the public agenda, while for BNT such are 50% of them, which is a difference that can be explained again with the more official nature of some of the covered items.

Though pretty similar, with a difference of only 2 or 3%, the figures showing coverage of issues such as welfare policies and healthcare (7-9), ecology (3-6) and culture and art (6-9) again demonstrate the leading position of bTV with regard to the fulfilment of public obligations. The format of the news, when it comes to genre variety and multiple perspectives, shows that topical coverage of the event of the day is equal in percentage in both stations - 14%. Similar is the case with lengthy items (over 180 seconds) - they are virtually missing at BNT (1%) and bTV (2%).

There are other criteria, along which both televisions show remarkable similarity for the good. Such is the attitude shown in regard to the content, where there are no items with negative attitude found. Another one is the almost total lack of PR-ing in the news - for bTV 99% of the news entries are such, while for the BNT the percentage is 93.3%. The same is valid for the violation of the ethical norms, where 99% of the items can be classified as unbiased and only 1% as biased. An interesting development has been the necessity to have a separate category defined for news connected to the EU. The percentage for both televisions is again almost one and the same - 10% for bTV and 11% for BNT. This can easily be explained with the very recent accession of Bulgaria to the EU.

To conclude we can say that there is an overall similarity, with some notable exceptions, in the news on both televisions, which speaks of a blurring of the boundaries between public and commercial television in Bulgaria, on the one hand, and on the other, it shows that the freedom of speech and the public interest rank high in the priorities of both public and commercial operators.

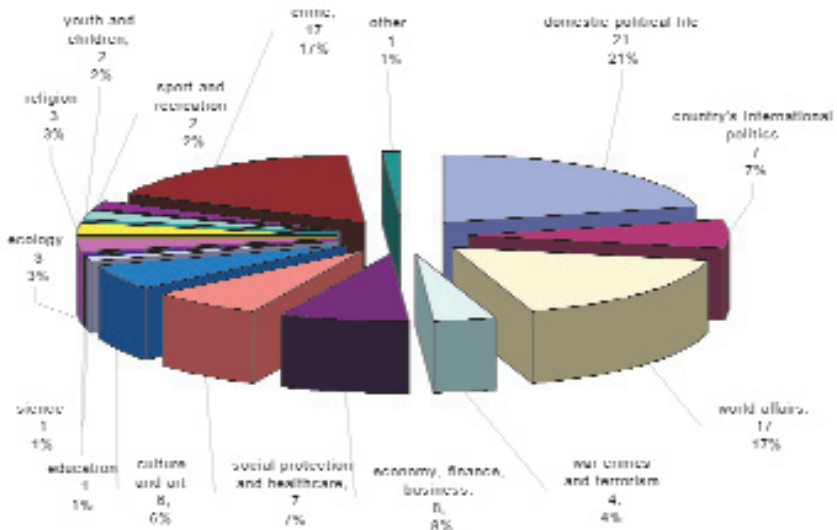
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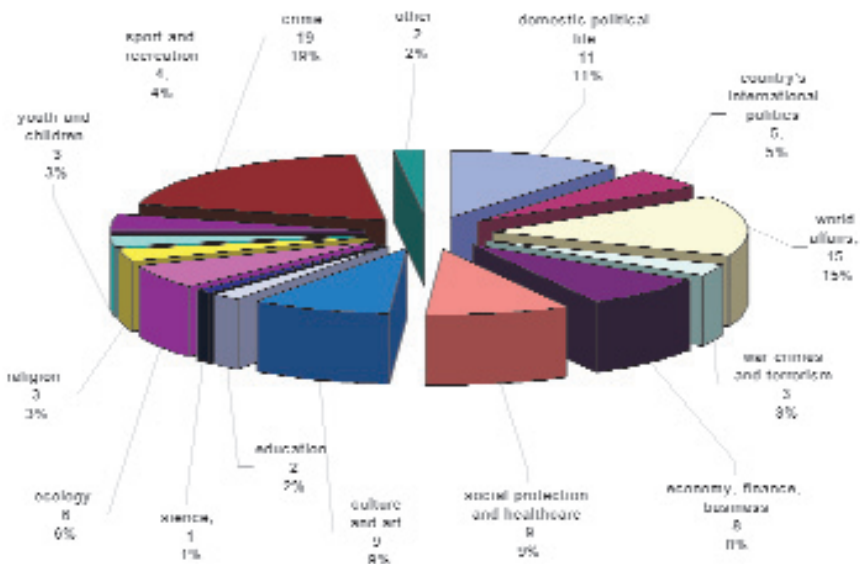
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Statistics

BNT - TOPIC

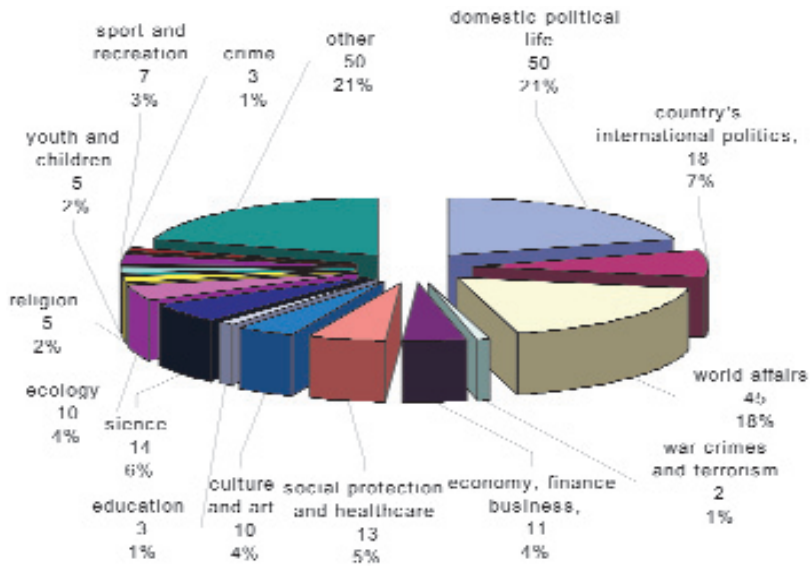


bTV - TOPIC



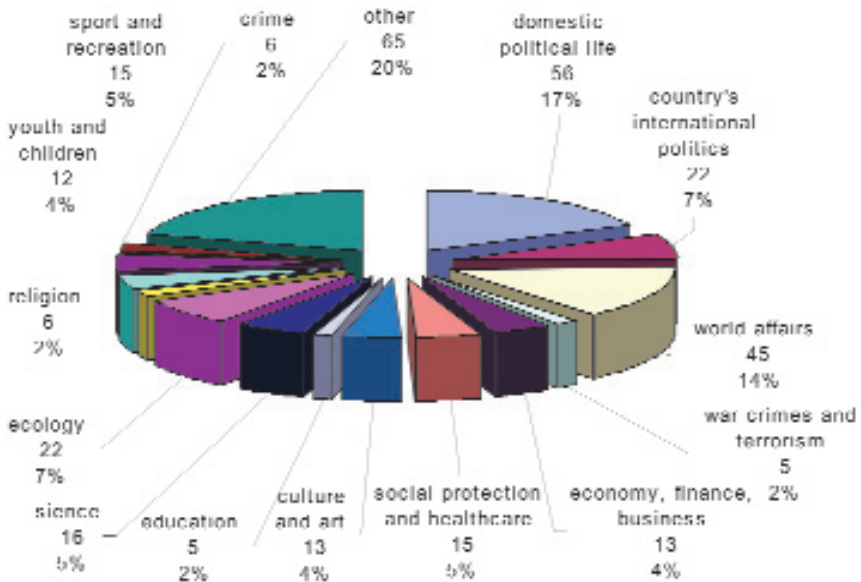
BNT - LENGHT OF ITEM CONTENT (in min)

Overall time: 246 min

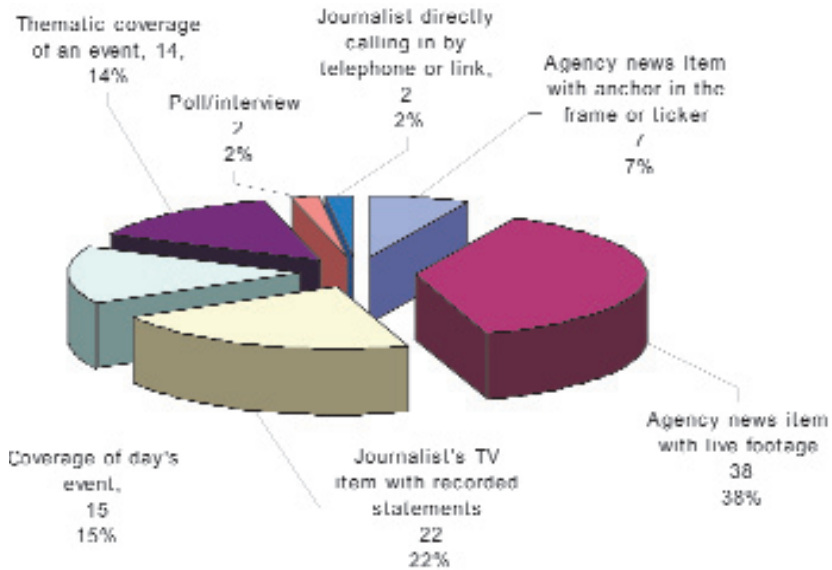


bTV - LENGHT OF ITEM CONTENT (in min)

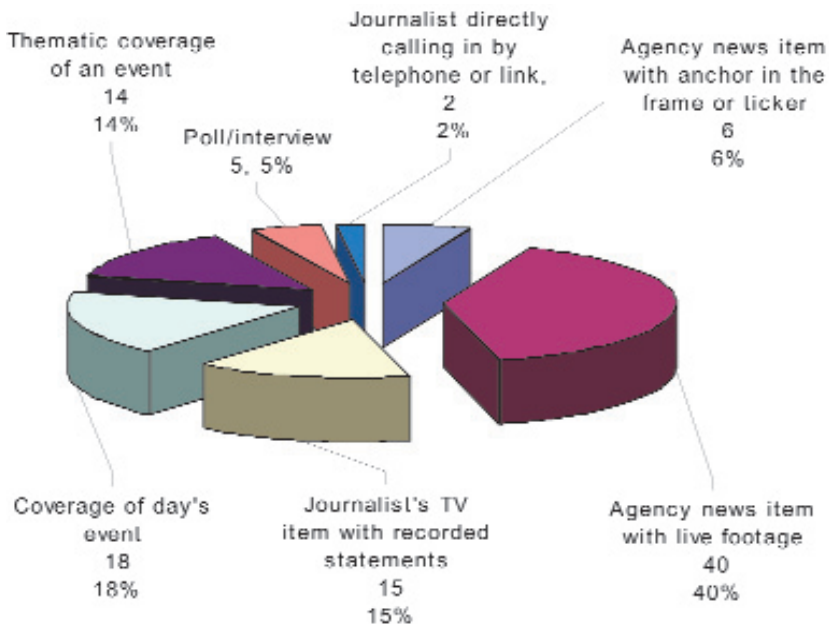
Overall time: 316 min



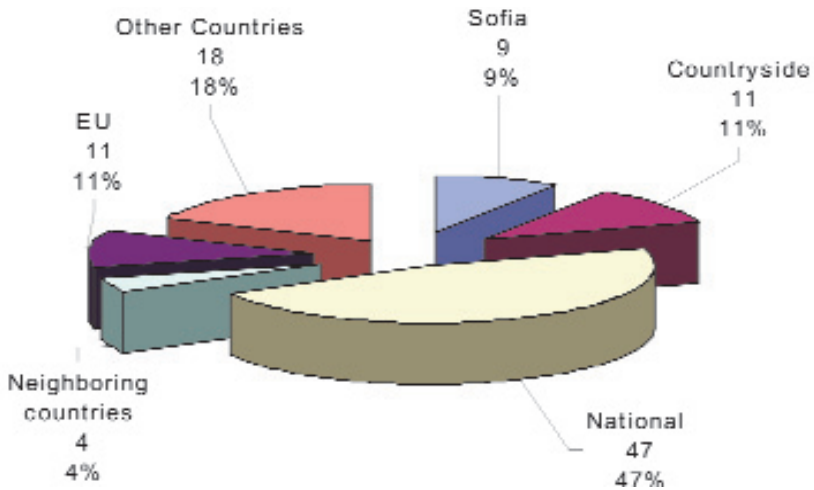
BNT - NEWS FORMS



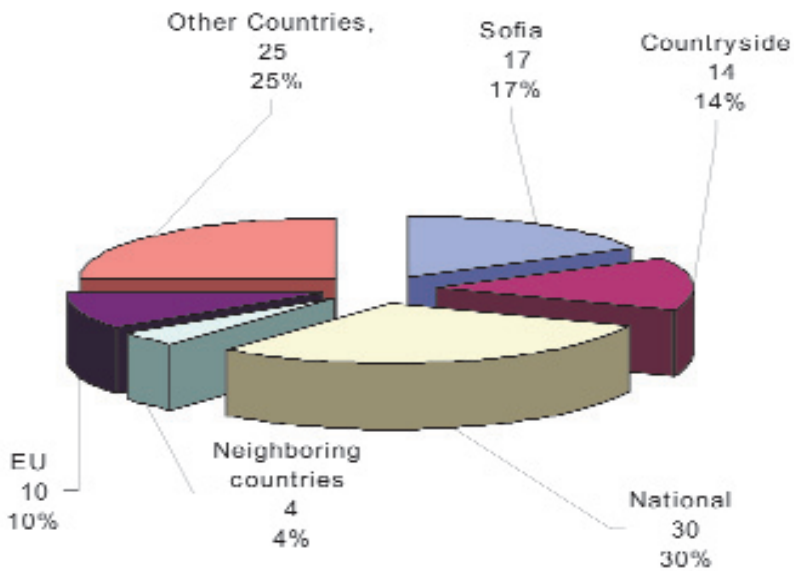
bTV - NEWS FORMS



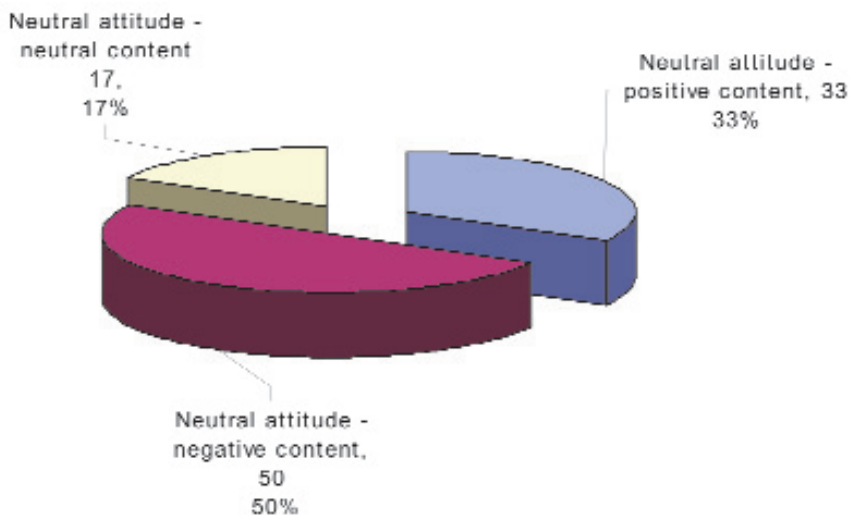
BNT - TERRITORIAL DISTRIBUTION



bTV - TERRITORIAL DISTRIBUTION



**BNT - EVALUATION OF CONTENT
- ORIENTATION TO THE SUBJECT**



**bTV - EVALUATION OF CONTENT
- ORIENTATION TO THE SUBJECT**

