

MAPPING DIGITAL MEDIA: **SLOVENIA**



Mapping Digital Media: Slovenia

A REPORT BY THE OPEN SOCIETY FOUNDATIONS

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Mapping Digital Media

The values that underpin good journalism, the need of citizens for reliable and abundant information, and the importance of such information for a healthy society and a robust democracy: these are perennial, and provide compass-bearings for anyone trying to make sense of current changes across the media landscape.

The standards in the profession are in the process of being set. Most of the effects on journalism imposed by new technology are shaped in the most developed societies, but these changes are equally influencing the media in less developed societies.

The **Mapping Digital Media** project, which examines the changes in-depth, aims to build bridges between researchers and policymakers, activists, academics and standard-setters across the world. It also builds policy capacity in countries where this is less developed, encouraging stakeholders to participate in and influence change. At the same time, this research creates a knowledge base, laying foundations for advocacy work, building capacity and enhancing debate.

The Media Program of the Open Society Foundations has seen how changes and continuity affect the media in different places, redefining the way they can operate sustainably while staying true to values of pluralism and diversity, transparency and accountability, editorial independence, freedom of expression and information, public service, and high professional standards.

The Mapping Digital Media project assesses, in the light of these values, the global opportunities and risks that are created for media by the following developments:

- the switch-over from analog broadcasting to digital broadcasting;
- growth of new media platforms as sources of news;
- convergence of traditional broadcasting with telecommunications.

Covering 60 countries, the project examines how these changes affect the core democratic service that any media system should provide—news about political, economic and social affairs.

The **Mapping Digital Media** reports are produced by local researchers and partner organizations in each country. Cumulatively, these reports will provide a much-needed resource on the democratic role of digital media.

In addition to the country reports, the Open Society Media Program has commissioned research papers on a range of topics related to digital media. These papers are published as the **MDM Reference Series**.

Mapping Digital Media: Slovenia

Executive Summary

Transition to digital broadcasting has been relatively fast and painless for Slovenia from a technical perspective, as has the spread of digital media more broadly. With the second-highest penetration of IPTV in Europe, it appears that the Slovenian population has keenly embraced new media platforms at the expense of radio, newspapers, and satellite TV. But the changes and implications for media diversity and society more broadly have stopped short of anything that could be considered a digital revolution. Key challenges remain, particularly in securing a sustainable future for the quality news sector.

Digital terrestrial broadcasting in Slovenia started in 2001 with the public broadcaster's first test transmissions. In 2007, the Digital Broadcasting Act set the switch-off target date for the end of 2010. This deadline was met with eight multiplexes in operation covering public service, local and commercial broadcasting. A subsidy scheme to help those in need of financial and other assistance was sufficient to ensure a successful transition, despite being implemented at the last minute. The digital licensing system has also been considered to be generally fair.

However, concerns have been raised over the flexibility afforded to the public broadcaster in marketing its pre-assigned multiplex to commercial providers. Together with other reasons, this has made it very difficult for the second national multiplex to compete and the result has been a marked reduction in the plurality of the sector since switch-over. The problem has been compounded by the spectacular rise of IPTV (accounting for just under 40 percent of all television consumption in 2011), which has diminished the share of digital terrestrial broadcasting among Slovenian households (along with satellite).

Nevertheless, the proportion of digital television households tripled between 2009 and 2011, reaching 86 percent penetration. There is also considerable growth in mobile television and a number of services enable subscribers to watch a wide range of television channels on portable devices, such as laptops, tablets, game consoles, and smartphones.

In contrast, radio listenership remains relatively unchanged, with analog transmission still dominant and no formal switch-over policy in place.

Newspapers have arguably been most affected by digitization, experiencing sustained declines in readership during the last five years. In the case of the leading broadsheet, circulation fell by 30 percent over the period. Though not entirely attributable to online migration, the fact that nearly three-quarters of the population now use the internet on a regular basis suggests that the problem for newspapers is unlikely to go away any time soon.

The most important and popular content genre on the internet is news, according to research in 2011. But despite the emergence of new entrants, it is only the news websites of legacy media that have managed to attract substantial audiences. Meanwhile, the average time spent both watching television and listening to radio has risen slightly in recent years, suggesting that the internet is certainly not displacing conventional media altogether.

Digitization of terrestrial television has enhanced the availability of the main television news providers by extending their national coverage. But this has not been matched by enhanced diversity in the news offer. If anything, there have been justified concerns that intensifying pressure to achieve ratings in a proliferated landscape has fostered tabloidization and homogenization of output, particularly in public service news.

Indeed, there has been a marked dearth of new services offered by the public broadcaster, with the exception of one additional channel dedicated to parliamentary politics. Although its online operations have been very successful in attracting audiences, its television news services have lost both audience and credibility in recent years. This may be attributable to a number of reported cases of political and management pressure on journalists within the organization.

Across the board, digitization has affected the autonomy of journalists economically rather than politically. In particular, the explosion of platforms and multimedia content has favored the employment of younger journalists but with substantively less remuneration and job security. Journalists in online and increasingly converged newsrooms have less opportunity to engage in original newsgathering. And under the ever growing pressure of the hourly news cycle, the accuracy and integrity of digital news are under threat.

This is not to disregard the obvious benefits afforded to journalists by the enhanced access to a wider pool of sources characteristic of news in the digital age. Nor the fact that online news consumers have benefitted from the enhanced access and interactive features of news content. But there is little evidence of this materializing into a more diverse and quality news offer. Rather, the trend seems to be in exploiting the cost efficiencies offered by digitization, producing more output by the same or a smaller number of journalists. What seems certain is that the pressures of digitization coupled with the effects of the global financial crisis have resulted in a net reduction in specialization. This has significantly impeded the quality news offer and constrained journalist autonomy, as some news groups become increasingly answerable to the dwindling number of advertisers that support them.

So far, the development of citizen journalism has not provided an answer to this problem. Although blogging is increasingly popular, it is largely personalized. Recent years have, however, seen the potential for the internet to engage civil society in Slovenia. One of the most spectacular examples was an environmental initiative launched in 2010 aiming to mobilize 200,000 people on a single day to clean up waste from illegal dumps. In the event, the campaign managed to get 270,000 on to the streets and was seen as demonstrative of social media's new-found agenda setting power. Despite what is still a relatively small number of users, Twitter in particular is becoming increasingly influential in this respect.

But examples of online civic actions have been limited to one-off events and there has been little in the way of sustained high-profile digital campaigns. And although the space for public debate and expression has undoubtedly been widened through the spread of online communities of all types, participation is still concentrated among men and younger age groups.

Digital mobilizations have also demonstrated the enduring power of legacy media which largely retain the keys to reaching critical mass audiences, both off and online. Ownership concentration within media markets—including newspapers—therefore remains a key public interest issue. Digitization does not appear to have altered dominant positions within these markets, nor has it abated concerns of covert political influence through the funding of particular media titles.

Digitization has had an effect on media markets in two ostensible ways. First, online migration has been a key factor in driving down newspaper sales, which has led to closures and re-structuring in the print news market. So far, this has primarily affected weeklies, free sheets, and magazines, but it has also fostered a wider dependence among smaller outlets on wired agency content. The second way in which digitization has disrupted the economics of news is evident in the stalled market for digital terrestrial television. This has particularly affected news providers, leading to the withdrawal of one news channel and the closing down of news operations by another.

Experiments with new business models for online news have taken the form of limited and combined paywalls (shared by multiple providers), but whether these will provide a sustainable source of revenue over the long term is as yet inconclusive. What they do represent is an increasing focus on end-users as a potential source of new revenues. This is not surprising given that the internet advertising market has not experienced much in the way of growth over the last two years.

The question remains whether the legal and regulatory framework has been adequately responsive to the challenges of digitization. On this point, the report finds that policymakers have been responsible for over-regulating in some areas while under-regulating in others. For instance, current broadcast licensing rules prohibit a network operator from filling the multiplex with a service package of its own choice, which contributed to the stagnation of digital terrestrial television. On the other hand, there is an absence of policy in regard to the regulation of conditions and relationships on competitive distribution platforms, very slow progress in allocation and regulation of the digital dividend and white spaces, and very little regulation of cable operators and other gatekeepers in terms of allocation of space on EPG and in the cable systems.

From a consumer and citizen's perspective, digitization has succeeded in expanding the quantity and accessibility of news and information, but not the quality and diversity of content. In combination with the lingering effects of the financial crisis, the independent performance of the media at large is under threat. This remains the over-arching challenge for policymakers.

Context

Slovenia has been an independent state for 20 years. Previously it was a part of the former Socialist Federal Republic of Yugoslavia (SFRY). Its declaration of independence in 1991 was followed by the Ten-Day War, after which it was internationally recognized in 1992. It became a member of the European Union (EU) and NATO in 2004, implemented the Schengen regime, and entered the eurozone in 2007. Once described by the *Financial Times* as “the richest ex-communist state,”¹ Slovenia, with a population of 2 million, in 2011 had a GDP per head of €17,361 (US\$21,495) and a GDP growth rate in the first quarter of 2012 was negative (–0.2 percent).

Geographically situated between Italy and the Adriatic Sea on its western border, Austria and the Alps in the north, Hungary in the northeast, and Croatia and the Balkan peninsula in the southeast, Slovenia has been at the crossroads of different travel and trade routes, cultures, languages, and political tensions throughout its history. Four language groups converge in this area; however, with more than 80 percent of inhabitants declaring themselves Slovenian, the country is relatively homogeneous in terms of ethnic, linguistic, and, to some extent, also religious composition.²

In the SFRY, many Bosnians, Serbs, and Croats found work in Slovenia, and this led to the current ethnic profile of Slovenia, in which people from different parts of the former unified state and their descendants make up about 13 percent of the population. However, no nation from the territory of the SFRY is recognized as a minority in Slovenia. The Slovenian Constitution recognizes and protects the Italian and Hungarian national communities and also gives some recognition to the Roma ethnic community.

Slovenia was economically the most developed republic of the SFRY and was also the first to start major democratic reforms in the second half of the 1980s. Economic development continued after independence

This Report, which was written between 2010 and 2012, represents the views of its authors and not the policies of the institutions with which the authors are affiliated.

1. S. Wagstyl, “A region rich in competitive advantages,” *Financial Times*, 27 April 2004. At <http://www.ft.com/cms/s/0/3677b556-97e8-11d8-81c6-000e2511c801.html#axzz1vCoEZW27> (accessed 18 May 2012).
2. Statistical Office of the Republic of Slovenia, Census of population, households and housing, 2002.

in 1991. From 1991 to 2010, GDP per head more than tripled, although it fell in 2009 by 9 percent year-on-year. Judging from the constant growth of public debt, which amounted to 37.9 percent of GDP in 2010 and ballooned to 44.2 percent in June 2011 and 47.6 percent in June 2012, as compared with 22.5 percent in 2008, the current outlook is poor. The economy grew only 0.5 percent in 2011, and forecasts for 2012 show even lower expectations. Due to a poor fiscal outlook, a slow economic recovery, and weak banks, the three major rating agencies are cutting Slovenia's credit ratings. (At the end of January 2012, Slovenia was rated AA– by Standard & Poor's, with an equivalent rating at Fitch Ratings, while Moody's rated Slovenia as Aa3 and in August 2012 further reduced it to Baa2.) The country is having difficulties recovering from the global economic crisis. This is also reflected in unemployment, which affects more than 115,000 members of the active population. The average registered unemployment rate (percentage of unemployed in the labor force) is expected to rise to 12.5 percent in 2012 and to 12.8 percent in 2013.³

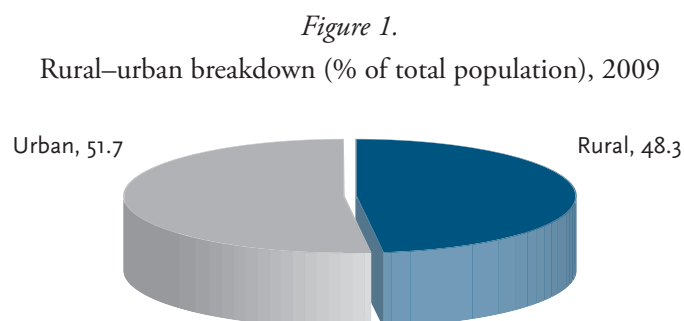
3. Institute of Macroeconomic Analysis and Development (IMAD), "Spring forecast of economic trends in 2011," Ljubljana, March 2011. See http://www.umar.gov.si/fileadmin/user_upload/publikacije/aanaliza/aspomlad11/A_PNNG_2011.pdf (accessed 30 January 2012).

Social Indicators

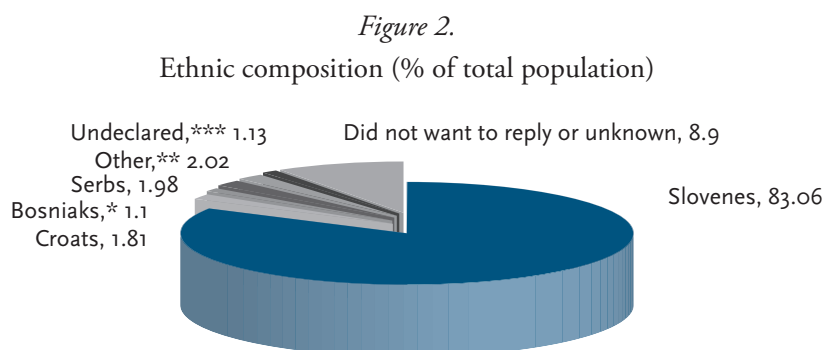
The most recent census was carried out in April 2011.

Population (number of inhabitants): 2 million

Number of households: 701,600



Source: International Telecommunication Union (ITU) data

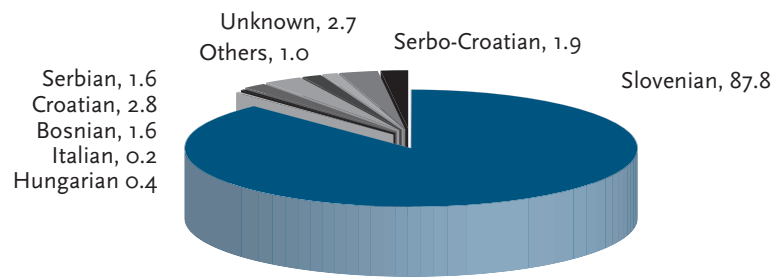


Notes: * Declaration of Bosniaks as a nation was enforced by the Constitution of the Federation of Bosnia and Herzegovina in 1994; ** “Other” includes Italians, Hungarians, Roma, Albanians, Austrians, Czechs, Germans, Macedonians, Montenegrins, Muslims (those who list being Muslim as an ethnic background as well as a religion), Poles, Romanians, Russians, Slovaks, Turks, and Ukrainians; *** Includes people who said they were Bosnians (not Bosniaks), 0.41 percent; people who declared themselves Yugoslavs, 0.03 percent; people who were regionally declared, 0.07 percent; people who preferred to remain ethnically undeclared, 0.62 percent

Source: Statistical Office of the Republic of Slovenia, Census of Population, 2002

Figure 3.

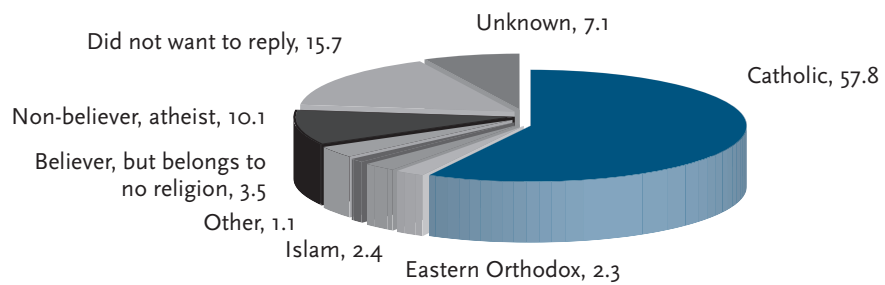
Linguistic composition (% of total population)



Source: Statistical Office of the Republic of Slovenia, Census of Population, 2002

Figure 4.

Religious composition (% of total population)



Source: Statistical Office of the Republic of Slovenia, Census of Population, Households and Housing, 2002

Economic Indicators

Table 1.
Economic indicators

	2005	2006	2007	2008	2009	2010	2011	2012f
GDP (current prices, US\$ billion)	38.99	47.38	54.65	48.60	46.44	47.81	50.28	61.822
GDP (current prices, US\$), per head	19,394	23,577	27,155	24,111	23,008	23,653	24,863	13,999
Gross National Income (GNI), per capita, current \$*	25,150	26,630	28,540	26,340	n/a	n/a	n/a	n/a
Unemployment (% of total population)	6.0	4.9	4.4	6.0	7.8	8.1	7.4	n/a
Inflation (average annual rate, % against previous year)	2.5	3.6	5.7	0.9	1.5	2.3	2.5	2.2

Notes: f: forecast; n/a: not available

Sources: International Monetary Fund (IMF), World Economic Outlook Database, October 2010; * World Bank (GNI) data

1. Media Consumption: the Digital Factor

1.1 Digital Take-up

1.1.1 Digital Equipment

Over three years (2009–2011), the proportion of digital television households tripled, reaching 86 percent at the beginning of 2011.

Research by AGB Nielsen in spring 2011 showed that the percentage of households with no television set had decreased by 0.4 percent since 2010 and the share of television-equipped households had stabilized at slightly less than 100 percent. It is unlikely that there will be any significant increase of television equipment in Slovenian households in the near future, given that the transition to digital terrestrial television (DTT) is complete. In the process, most consumers bought new television sets, and many viewers have migrated to other platforms, mainly cable or internet protocol television (IPTV), with this migration also accompanied by a change of television receivers.

The adoption of other digital equipment is also constantly growing. The decreasing percentages of certain equipment (i.e. the radio set, compact disc (CD) player, satellite dish, and personal computer (PC)) can be attributed to their changed roles in contemporary mass communication and the consolidating trend of convergence in electronic communications in terms of technological, industry, and market convergence.

In the 2000s, the percentage of people accessing the internet during an average day rose from 9 percent to 66 percent. By 2007, an average individual surfed the internet for a quarter of an hour daily, and more than half of regular internet users accessed the internet more than once a day.⁴ In 2009, research showed that 78 percent of the population between the ages of 10 and 75 had used the internet at least once, while 74 percent of the population had used the internet in the last three months.⁵

4. V. Vehovar and B. Brecko, "Uporaba Interneta 2007" (The use of internet 2007) *Raba Interneta v Sloveniji* (RIS), Ljubljana, November 2007. See http://www.ris.org/uploadi/editor/1229017546Uporaba%20interneta_2007.pdf (accessed 5 October 2009).

5. *Raba Interneta v Sloveniji (RIS) 2009*, (Research into the Internet in Slovenia 2009), Faculty of Social Sciences (Fakulteta za družbene vede), Ljubljana, 2010.

Research by market research company GfK Slovenia showed about half of internet users in 2010 using the internet at home and approximately a third doing so at work. Most respondents (65 percent) with home internet access used it daily or almost daily, and one-fifth used it two or three times a week. Ten percent of the users with home access, however, did not use it at all.

At home, the internet was mostly used by working people (41 percent), children and students (37 percent), most often to find information (77 percent), to check and send e-mail (76 percent), and for following the news (68 percent). Nearly half of internet users used it to read web content (47 percent), for online banking (41 percent), for participating in chat rooms, forums, blogs, and social networks (39.3 percent), for professional purposes (39 percent), for multimedia, internet television, and radio (36.5 percent), and about 30 percent for online shopping.⁶

One year later, at the end of 2011, the same research showed that among those who have home internet access, 73 percent use it every day or almost every day (8 percentage points more than the previous year). Only 7 percent of respondents with home internet access did not use it. In families, the internet is mostly used by employed members (44 percent), children and students (33 percent), seniors (17 percent), and other family members (7 percent). In comparison with the previous year, the research revealed a general increase in internet use, with the highest increases in online government services, online shopping, and online news.⁷

Table 2.

Households owning equipment, 2005–2010

	2005		2006		2007		2008		2009		2010	
	No. of HH	% of THH	No. of HH	% of THH	No. of HH	% of THH	No. of HH	% of THH	No. of HH	% of THH	No. of HH	% of THH
TV sets	677,780	98.9	682,350	98.7	680,320	98.4	678,295	97.8	687,350	98.5	693,090	98.9
Radio sets	626,300	91.5	590,998	85.5	565,951	81.9	551,906	79.6	584,227	83.7	543,141	77.5
PCs	406,338	59.3	433,292	62.7	434,383	62.8	490,930	70.8	481,490	69.0	465,740	66.5

Notes: HH: Total number of households owning the equipment; THH: Percentage of total number of households in the country; n/a: not available

Source: AGB Nielsen

6. GfK Slovenia, "Uporaba storitev s področja elektronskih komunikacij in zadovoljstvo uporabnikov" ("The use of electronic communication services and the satisfaction of users"), research commissioned by the Agency for Post Services and Electronic Communications (*Agencija za pošto in elektronske komunikacije Republike Slovenije*, APEK), Ljubljana, December 2010 (hereafter, GfK Slovenia, "Uporaba storitev s področja elektronskih komunikacij"). See <http://www.apek.si/datoteke/File/2010/Telekomunikacije/Uporaba%20storitev%20s%20področja%20elektronskih%20komunikacij%20in%20zadovoljstvo%20uporabnikov.pdf> (accessed 1 July 2011).

7. GfK Slovenia, "Uporaba storitev s področja elektronskih komunikacij in zadovoljstvo uporabnikov s kvaliteto uporabljenih storitev" ("The use of electronic communication services and the satisfaction of users"), research commissioned by APEK, Ljubljana, November 2010. See http://www.apek.si/datoteke/File/Telekomunikacije/Uporaba_storitevEK2011.pdf (accessed 27 January 2011).

Both television and internet are important means of accessing news. Research by AGB Nielsen in 2010 showed that Slovenians prefer to watch news programs rather than television shows, as the average amount of time spent watching the news in 2010 exceeded 200 hours per person aged over four years. Films and multi-episode series were respectively the second and third most watched television programs, with both formats watched for around 150 hours in 2010 on average.⁸

1.1.2 Platforms

Between 2005 and 2010, the usage profiles of television platforms in Slovenia changed considerably. AGB Nielsen data showed previous trends continuing in 2011. The share of satellite reception fell substantially and, with the introduction of DVB-T, terrestrial reception suffered further decline. The only platform to show an increase was IPTV, which almost reached a 40 percent share in 2011.

In 2011, cable coverage dominated in smaller urban centers. IPTV is particularly strong in central and northeastern Slovenia where the largest cities are located (Ljubljana and Maribor, respectively), while a terrestrial antenna is the most important source of a television signal in areas where the population is slightly more dispersed.

In the 15th Progress Report on the Single European Electronic Communications Market,⁹ Slovenia was ranked second among EU member states for penetration of IPTV.

8. AGB Nielsen Media Research, "Analiza trendov na področju televizije s pomočjo rednih letnih bazičnih raziskav in podatkov o gledanosti iz telemetrije 2010" (The trend analysis of television based on annual basic research and data on telemetric ratings 2010"), analysis commissioned by APEK.

9. Progress Report on the Single European Electronic Communications Market 2009 (15th Report) (SEC(2010)630), European Commission, Brussels, 25 August 2010 (hereafter, Progress Report on the Single European Electronic Communications Market 2009). See http://ec.europa.eu/information_society/policy/ecomm/doc/implementation_enforcement/annualreports/15threport/comm_en.pdf (accessed 1 July 2011).

Table 3.

Platform for the main television reception and digital take-up, 2005–2010¹⁰

	2005		2006		2007		2008		2009		2010	
	No. of HH ¹¹ (‘000)	% of TVHH ¹²	No. of HH (‘000)	% of TVHH	No. of HH (‘000)	% of TVHH	No. of HH (‘000)	% of TVHH	No. of HH (‘000)	% of TVHH	No. of HH (‘000)	% of TVHH
Terrestrial reception	234	34.5	232	34.0	221	32.4	180	26.5	165	24.0	156	22.5
– of which digital	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	12	1.8	42	6.0
Cable reception	371	54.8	375	54.9	356	52.3	318	46.9	297	43.2	310	44.7
– of which digital	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	52	7.5	106	15.3
Satellite reception	73	10.7	76	11.1	70	10.2	54	8.0	32	4.7	17	2.5
– of which digital	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	14	2.0	8	1.1
IPTV	n/a	n/a	n/a	n/a	34	4.9	125	18.5	194	28.2	211	30.4
Total	678	100.0	682	100.0	680	100.0	678	100.0	687	100.0	693	100.0
– of which digital	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	271	39.0	366	53.0

Note: n/a: not available

Source: AGB Nielsen Media Research, 2005–2010

The percentage of households with broadband internet access reached 72.3 percent by the end of 2010, and the percentage of broadband internet subscribers in the total population rose to 24.2 percent at the end of 2010, which was very close to the EU average.¹³

In the first quarter of 2011, according to the Agency for Post and Electronic Communications (*Agencija za pošto in elektronske komunikacije Republike Slovenije*, APEK), slightly more than 57 percent of broadband access users were accessing the internet via xDSL technology, around 25 percent via cable access, and 16 percent via optic communication delivery (fiber to the home, or FTTH). The first quarter of 2011 was marked by the further growth of FTTH, as its share increased by 2.1 percent in comparison with the previous quarter.¹⁴ Research showed that fully half of all internet users would transfer to FTTH, despite the higher price, if they had the option.¹⁵

The number of mobile phone subscribers was 1.5 million, and the penetration of active mobile users in the population reached 103.9 percent, in the first quarter of 2011.¹⁶ The share of those able to access the internet via handhelds had been constantly growing from 2003, when the first mobile telecommunication operator,

10. The figures refer to the main television set in multi-television households.

11. Total number of households owning the equipment.

12. Percentage of total number of television-owning households in the country.

13. Progress Report on the Single European Electronic Communications Market 2009, footnote 12.

14. "Porocilo o razvoju trga elektronskih komunikacij za prvo četrtletje 2011" (Quarterly Report on Electronic Communications Market in the Republic of Slovenia for first quarter of 2011), APEK, Ljubljana, June 2011. See http://www.apek.si/datoteke/File/2011/telekomunikacije/Poročilo_Q1_2011.pdf (accessed 1 July 2011). (hereafter, APEK, "Quarterly Report on Electronic Communications Market, Q1 2011").

15. GfK Slovenia, "Uporaba storitev s področja elektronskih komunikacij."

16. APEK, "Quarterly Report on Electronic Communications Market, Q1 2011."

Mobitel,¹⁷ offered Universal Mobile Telecommunications Services (UMTS).¹⁸ From 2009, all six mobile telecoms operators in Slovenia have been providing third-generation (3G) services to their users.

Table 4.

Internet penetration rate (total internet subscriptions as percent of the total population)
and mobile penetration rate (total active SIM cards as percent of total population), 2005–2010

	2005	2006	2007	2008	2009	2010
Internet	n/a	19.4	20.6	22.4	23.5	24.5
– of which broadband	9.9	13.9	16.9	20.9	22.6	24.0
Mobile telephony	87.8	90.5	95.2	101.1	102.6	103.5
– of which 3G*	n/a	n/a	n/a	n/a	102.6	103.5

Notes: n/a: not available, * Shares of potential 3G users at the end of 2009 and through 2010 are the same as the mobile penetration rate, since all mobile operators in Slovenia offer 3G services to all subscribers

Source: APEK

1.2 Media Preferences

1.2.1 Main Shifts in News Consumption

The main changes in media consumption patterns are the rise of the internet, mostly meaning increased news consumption and the time spent on the internet—less so in terms of advertising—and a decline of the print media, which are, however, through the electronic versions of newspapers, still an extremely important source of news and other journalistic content.

As can be seen from the data on press circulation (see section 1.3.1), there has been a trend of falling circulation of the daily newspapers in the last five years. The circulation of the leading broadsheet, *Delo*, fell by almost 30 percent. Part of this decline can be attributed to the rise of digital media, particularly online media, and part to the economic crisis. In some cases, internal problems and inadequate editorial and management responses to the challenges faced by the changing economic and media landscape were an important factor in the decline.

After the circulation figures for the last quarter of 2010 were published in February 2011, the Slovenian Advertising Chamber (*Slovenska oglaševalska zbornica*, SOZ) speculated that the negative trend of falling circulation was slowing. It pointed out that National Readership Research (*Nacionalna raziskava branosti*, NRB) had even recorded an increase of the readership for the second time in a row, “which is very encouraging for the print media market.”¹⁹

17. After the merger with its mother company on 1 July 2011, it operates under the name Telekom Slovenia. The name Mobitel has been retained as a brand for its mobile phone services.

18. APEK, *Annual Reports*.

19. “SOZ: Negativni trend prodanih naklad tiskanih medijev se umirja” (SOZ: The negative trend of falling circulation of print media is calming down), *Dnevnik*, 25 February 2011. See http://www.dnevnik.si/poslovni_dnevnik/1042426958 (accessed 28 February 2011).

Table 5.

Average time spent watching television and listening to the radio (minutes per day), 2005–2010

	2005	2006	2007	2008	2009	2010
Television*	172	177	183	179	181	193
Radio**	165	184	181	182	n/a	n/a

Sources: * AGB Nielsen Media Research, 2011. ** Mediapool, Radiometrija, 2010

As Table 5 shows, there were no relevant changes of the patterns of general television consumption between 2005 and 2010. Average daily radio consumption increased from 165 minutes in 2005 to 192 minutes in 2009.²⁰ To sum up, approximately two-thirds of the population use their television sets and listen to the radio every day; an average individual watches television programs and listens to the radio for approximately three hours each.

While there was a slight and steady rise in the time spent watching television, Slovenian people are among the lighter television users, according to AGB Nielsen international figures.²¹ The highest average viewership is in households with cable connections, which have a better choice of channels. Additionally, cable households have a slightly older average population, which also contributes to higher ratings, as senior citizens spend more time at home watching television.

In IPTV households, the population is somewhat younger, but a wide range of television channels boosts the ratings. In terrestrial households, despite the older population, a narrow selection of television channels leads to a significantly lower average viewership. The ratings on all television platforms are lowest during the summer months, and that is especially evident with terrestrial reception. Poor programming of the summer line-ups by the main stations results in a sharper drop in terrestrial ratings than in ratings on cable and IPTV, where viewers have a wider selection.²²

On the other hand, it is clear that online and mobile content services are increasingly popular, especially among the younger population. The two largest mobile telecoms operators, Telekom Slovenia and Si.mobil, are steadily widening their offer of digital content (news, entertainment, interactive games, etc.) on their platforms Planet Siol and Vodafone live! Telekom Slovenia's subscribers have at their disposal short video content on demand and live mobile television with four generalist channels, SLO 1, SLO 2, POP TV, and Kanal A; two sport channels, Š1 and Š2; news channel Info TV; music channels such as Čarli TV and Golica TV; a cartoon channel, the Cartoon Network; and three adult channels. Si.mobil's subscribers, on the other hand, can among other things use the services of their music portal ORTO MUZIQ, which, in partnership with Universal Music, has enabled access to more than a million pieces of music. The largest cable operator,

20. Radiometrija, research conducted by Media Pool for public broadcaster RTV SLO, 23 September 2010.

21. AGB Nielsen Media Research, Telemetric Summary commissioned by APEK, 2011.

22. B. Kušnjerek, "Bo digitalizacija spodbudila gledanje televizije?" (Will digitalization increase TV watching?), *Marketing Magazin*, October 2010, p. 32.

Telemach, recently offered its subscribers a service, D3 GO, that enables them to watch a selection of 60 television channels on personal computers, laptops, tablets, and smartphones.

The most important and popular internet content is news. Research in 2011 showed that 77 percent of users aged between 10 and 75 used the internet for news. Music and film were the second most popular type of content, with 68 percent of users, while 60 percent of internet users searched for information on travel. This was followed by searching for content related to sports, cosmetics, cars, food, health, and medicine.²⁵ With the rise of the internet and the digitization of television, many new news providers appeared but, in most cases, only those connected to established media gained substantial audiences. Nevertheless, there are some new entrants who in one way or another marked the media landscape, but most of them faced serious financial problems (e.g., Info TV) and some of them ceased to exist after barely a few years of operation (e.g., Vest.si). These cases will be discussed later in more detail.

1.2.2 Availability of a Diverse Range of News Sources

The main shift in the availability of news content over the past five years has occurred with the rise of the internet, which has influenced the ways people live and communicate, without contributing substantially to news production. The internet has increased the convenience of accessing existing media and news content online, as people with internet access can easily check, read, and watch news content in a number of media outlets, including those which are otherwise paid for (i.e. newspapers) and which many users perhaps would not purchase in hard copy.

The internet has also brought social media, blogs, and forums. A few websites have appeared in the last five years offering original news and content, for example the tabloid web portal Pozareport.si, launched by Bojan Požar, one of the leading representatives of tabloid journalism; the video-oriented news portal Vest.si, run by a group of well-known media professionals; and the discussion blog of a group of distinguished journalists and columnists at Razgledi.net. However, their output has been relatively small, with sometimes only one item produced per day.

Digitization of terrestrial television, on the other hand, has contributed to the availability of the main television news providers across a larger territory, as it has enabled the unification of the coverage areas of the main television channels, allowing them to reach the whole country. Besides three public television channels (all belonging to the public service broadcaster), four private television channels are currently broadcast on the national DTT platform.²⁶

25. Measurement of Website Traffic (*Merjenje obiskanosti spletnih strani*, MOSS), research by Valicon and Gemius for SOZ, January 2011. See Mi. S./STA, "Več kot tri četrtine Slovencev po novice na splet" (More than three quarters of Slovenians go for the news to the web), *Slovenske novice*, 10 March 2011. See <http://www.slovenskenovice.si/clanek/143523> (accessed 11 March 2011).

26. Status on 31 January 2012.

During the digital switch-over, two national DTT multiplexes were put in operation, the first (multiplex A) managed by the public service broadcaster Radio-Television of Slovenia (*Radiotelevizija Slovenija*, or *RTV Slovenija*, RTV SLO), and the other (multiplex B) by Norkring, a fully owned subsidiary of Norkring International, a part of the Norwegian telecoms company Telenor Group.

The majority of channels with national digital licenses have been available on multiplex A and only one of them on multiplex B.²⁷ However, both Norkring and the last remaining television channel within its multiplex announced in early 2012 that they are leaving Slovenia due to unfavorable business conditions. On the other hand, some of the channels which applied for digital licenses have not signed contracts with any of the multiplex operators and are not present on DTT, i.e. the sport channel Šport TV2 and the generalist channel RTS+. Another channel, TV Pika, which was transmitted on multiplex A, ceased to exist on 3 September 2010 after only 10 months of broadcasting on DTT. Its broadcaster (Pro Plus) replaced it by a new cable and IPTV channel, POP BRIO, which targets female viewers and is not available on terrestrial platforms.

Digitization has also brought changes to local television news providers. Local television channels operate in significantly different economic circumstances than national ones and have different business models. In the analog era, they used to have low power transmitters with small coverage areas. Because of their commitment to their original local communities, which are sometimes their co-founders, the majority of local analog television channels showed no interest in enlarging their coverage during the switchover from analog to digital. Costs of transition to DTT represented a substantial financial burden. Ten local television broadcasters with the smallest analog terrestrial coverage were invited by APEK to submit tenders to become local DTT network/multiplex operators, but only seven applied for and got licenses. The others decided to abandon terrestrial broadcasting and are now available only on cable and/or IPTV.

Apart from the cases mentioned above, no significant news providers have appeared that would be directly linked to digitization and have contributed significantly to the increase or diversification of news content in the years 2005–2011. Despite the generally successful transition to DTT and the high penetration of other digital television platforms, as well as internet use, we cannot conclude that digitization of broadcasting has contributed to news diversity. Its importance lies in facilitating access to news and in enlarging the coverage areas of existing television news providers.

Apart from this, digital terrestrial broadcasting as a platform has yet to show great development potential. The reasons for this can be attributed to the strong presence of other digital platforms (such as cable and IPTV), a small television market, administrative obstacles, and a lack of incentives to develop alternative offers.

27. Status on 31 January 2012.

1.3. News Providers

1.3.1 Leading Sources of News

Print Media

There are eight daily newspapers in Slovenia: six national, one regional, and one dedicated to sports. The total circulation of all daily newspapers is approximately 260,000 copies, accounting for a readership of 1.17 million.²⁸ According to the 2010 annual report by National Readership Research,²⁹ two of the top three dailies by circulation are owned by the same holding company, Delo: the broadsheet *Delo* (readership 130,000) and the tabloid *Slovenske novice* (readership 318,000). They share a number of common special interest supplements (*Ona*, *Polet*, *Delo&Dom*, *Vikend*), while on Sunday they publish *Nedelo* (readership 157,000). Delo and its two newspapers control almost half of the market for paid daily newspapers.

Apart from paid-for newspapers, approximately 294,000 people in Slovenia read the free daily newspaper *Žurnal24*, launched in autumn 2007 and produced by Žurnal Media, owned by the Austrian media company Styria Verlag. In the period 2005–2010, all the other daily newspapers saw their circulations decline while *Žurnal24* increased to reach a peak circulation of over 113,000 in 2009.

Table 6.
Paid circulation of daily newspapers, 2005–2010

	2005	2006	2007	2008	2009	2010
<i>Delo</i>	73,231	67,161	64,199	59,135	54,892	51,743
<i>Slovenske novice</i>	90,183	89,923	88,923	87,819	80,218	78,037
<i>Dnevnik</i>	47,721	48,600	48,492	47,223	43,894	40,964
<i>Žurnal24</i> ³⁰	n/a	n/a	93,838	106,274	113,444	111,774
<i>Večer</i>	49,115	46,198	43,642	42,060	39,170	36,075

Source: SOZ, Revised sold circulation (*Revidirane prodane naklade*, RPN)

Television

After the transition to DTT, there are seven television channels, private and public, that can be seen by more than 90 percent of the population: the public channels SLO 1, SLO 2, and SLO 3, and the commercial channels POP TV, Kanal A, TV3, and Pink.Si. Other television channels cover either local/regional communities or are delivered through cable or IPTV networks present in larger areas.³¹ The news channel

28. I. Setinšek, "Recesija in oglaševanje v Sloveniji" ("The recession and advertising in Slovenia"), *Marketing Magazin*, January 2009.

29. "Nacionalna raziskava branosti, 2009—NRB 2009" (National Readership Research, 2009—NRB 2009), Cati, Ljubljana, 2009. See <http://www.nrb.info> (accessed 15 January 2012).

30. *Žurnal24* is a free newspaper, and the data are for its print circulation. *Žurnal24* emerged in September 2007, and the data in the table cover the last quarter of 2007.

31. AGB Nielsen Media Research, Basic Research—Spring 2011.

Info TV was also present on the national DTT multiplex but withdrew in July 2011 because of the cost of the transmission services. For the same reason, the regional television channels RTS and Vaš kanal temporarily abandoned digital terrestrial transmission. Pink.Si, on the other hand, was excluded from multiplex B for non-payment of the operator's services, but soon restored its broadcast via multiplex A.

As mentioned, three of the television channels with the best territorial coverage belong to the public service broadcaster RTV SLO, while the other four are owned by large international broadcasting companies. Two of them, the most watched commercial television channels POP TV and Kanal A, are produced by Pro Plus, owned by Central European Media Enterprises (CME), the Bermuda-registered media company with television stations in the Czech Republic, Slovakia, Croatia, Romania, and Bulgaria, as well as Slovenia.

The Scandinavian company Modern Times Group (MTG) owns the third most popular commercial television channel in Slovenia, TV3, along with a number of commercial channels in the Scandinavian and Baltic countries. Even though TV3 with its entertainment-oriented programming has not been a news provider, its withdrawal in March 2012 has shaken the Slovenian television market. Difficulties plague also Pink.Si, the new entrant in the Slovenian television market, established by the Serbia-based Pink Media Group and launched in September 2010. In 2012, the Pink Media Group faced serious liquidity problems all over the region with frozen accounts in Serbia and Bosnia and Herzegovina, and has according to some media speculation³² already divested a part of Pink.Si to another owner.

In 2010, the combined daytime and primetime audience shares of Pro Plus's broadcast operations in Slovenia—POP TV and Kanal A, plus the cable channel POP BRIO and its predecessor TV Pika—was 39.6 percent and 49.7 percent, respectively, making it the strongest broadcaster in terms of ratings.³³

Pro Plus and its channels are also the most prominent commercial broadcasters in television news production. The two major channels, POP TV and Kanal A, broadcast news, with POP TV's output and ratings being the higher of the two. Based on viewer surveys, POP TV is also the most trusted television program, winning the title of "Trusted Brand" in 2009 and in 2010.³⁴

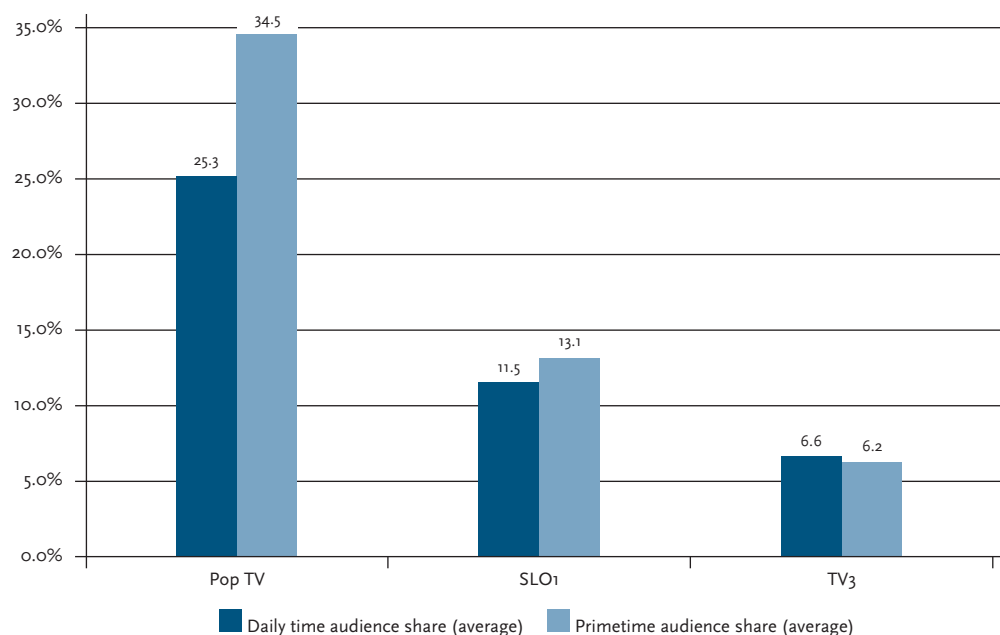
32. See, for example, <http://www.zurnal24.si/primorec-novi-lastnik-pink-si-clanek-133890>; <http://www.zurnal24.si/na-pinku-ze-tri-mesece-brez-plac-clanek-140723>; and <http://www.dnevnik.si/novice/slovenija/1042488502> (all accessed 27 January 2012).

33. Central European Media Enterprises (CME) Group Annual Report 2010, p. 9. See <http://www.sec.gov/Archives/edgar/data/925645/000114036111011315/form10k.htm> (accessed 24 February 2011).

34. See http://24ur.com/?section_id=610 (accessed 15 May 2012).

Figure 5.

Audience shares of the most viewed television channels of the three most important broadcasters, 2010



Source: AGB Nielsen Media Research

Meanwhile, Kanal A is, to quote its website, “increasing its popularity and has achieved second place in its primary target group of viewers.” In primetime (i.e. after 7 p.m.), Kanal A reached an average of 14 percent of viewers aged 18 to 49.³⁵ In addition to existing channels, Pro Plus launched Voyo, an over-the-top video-on-demand service and, in September 2011, a pay-TV service called POP NON STOP, offering five new thematic channels along with POP BRIO.

Besides commercial television, Pro Plus produces several web portals: the most visited news portal in Slovenia, 24ur.com; much-visited specialist websites (e.g., Zadovoljna.si, Bibaleze.si, Golfportal.info, Dominvrt.si, Moškisvet.com, 321gremo.si, Cekin.si, Vizita.si, and Osvajalec.si), and the internet community Frendi In Flirt. While 24ur.com offers most of the news items from POP TV’s and Kanal A’s output, it also offers infotainment and tabloid content, often linked to Pro Plus’s specialist websites such as Cekin.si (business), Vizita.si (health), and Moškisvet.com (for men). Most of these websites and content are clickstream-driven and commercial, often including explicit erotic material.

TV3 and Pink.Si have not produced any news content, with the exception of light entertainment news which is often produced with foreign footage and agency material. They have not produced any general newscasts and current affairs programs.

35. AGB Nielsen Media Research, 2010.

Table 7.

Reach and average daily viewership of the five most watched television channels, 2006–2010

Station	Indicator	2006	2007	2008	2009	2010
POP TV	Reach (%)	68	69	67	66	65
	Viewing time (no. of minutes)	95	91	83	83	83
SLO 1	Reach (%)	53	51	49	44	47
	Viewing time (no. of minutes)	59	62	55	57	57
Kanal A	Reach (%)	40	44	49	43	40
	Viewing time (no. of minutes)	59	60	60	58	62
SLO 2	Reach (%)	30	30	29	25	27
	Viewing time (no. of minutes)	61	57	53	56	71
TV3	Reach (%)	12	19	25	22	18
	Viewing time (no. of minutes)	39	47	53	49	53

Source: National Readership Research (*Nacionalna raziskava branosti*, NRB), Valicon, Ljubljana, 2006–2010

Radio

Digitization has not significantly influenced radio consumption patterns so far. Radio remains predominantly analog, but still relatively strong in news production. The two general channels of the public broadcaster RTV SLO with nationwide coverage, high production quality, and extensive news coverage—A1 and Val 202—have remained popular.³⁶ With the introduction of commercial broadcasting in the early 1990s, most commercial radio stations were granted only local or regional radio frequencies. No national commercial radio network was planned. However, as a result of changes to the Electronic Communications Act in 2006, which enabled integration of local radio stations into radio networks covering larger territories, the Radio 1 network was created and in a few years it climbed to one of the top slots in the listenership ratings.

Table 8.

Listenership shares of the most popular radio stations (%), 2007–2010

	2007	2008	2009	2010
Val 202 (RTV SLO)	15.1	13.6	11.1	10.4
A 1 (RTV SLO)	11.4	10.9	9.2	8.4
Radio 1	6.4	8.4	7.4	8.9
Radio City	5.7	6.3	5.0	5.6
Radio Center	2.9	3.3	3.8	4.1
Radio Veseljak	2.3	3.5	4.9	4.2
Radio Hit	4.0	4.4	4.0	3.4

Source: National Readership Research (*Nacionalna raziskava branosti*, NRB), Valicon, Ljubljana, 2006–2010

36. A. Hreščak, “Že leta najbolj poslušana Val 202 in Prvi program Radia Slovenija” (For years Val 202 and Prvi program Radio Slovenia the most popular radio stations), *Dnevnik*, 17 July 2010. See http://www.dnevnik.si/tiskane_izdaje/objektiv/1042374363 (accessed 22 December 2010).

Online

Among Slovenian online media, news websites of traditional print and broadcast media organizations are the most important in terms of reach and continuous up-to-date news production. According to a 2010 research project,³⁷ the number of unique monthly visitors to Slovenian news websites is growing in scope: 24ur.com had 691,374 different users in December 2010; Siol.net, produced by the largest Slovenian telecoms company Telekom Slovenia, was visited by 509,664 people; Rtvlo.si, produced by public broadcaster RTV SLO, had a monthly reach of 445,183; Zurnal24.si is the most visited site produced by a print media company, followed by Dnevnik.si, Delo.si, Finance.si and Vecer.com. The top 10 most visited websites in Slovenia include two leisure, lifestyle, and health websites produced by Pro Plus: Zadovoljna.si (366,380) and Vizita.si (314,436).

Table 9.
Most visited news websites, 2009–2011

Ranking	Website	Publisher	Reach (Slovenia)	Estimated additional reach abroad	Reach (%) (Slovenia)	Number of page views (Slovenia)
May 2009						
1	24ur.com	Pro Plus	585,283	37,958	51.5	81,080,208
2	Siol.net	Planet 9	461,004	37,144	40.6	39,189,311
3	Rtvlo.si	RTV SLO	418,727	41,783	36.8	26,768,691
4	Zurnal24.si	Žurnal Media	309,007	21,264	27.2	22,565,141
5	Delo.si	Delo	231,415	25,383	20.4	7,267,101
May 2010						
1	24ur.com	Pro Plus	674,451	94,137	57.4	109,963,698
2	Siol.net	Planet 9	482,696	48,369	41.1	44,857,236
3	Rtvlo.si	RTV SLO	419,187	52,332	35.7	36,053,246
4	Zurnal24.si	Žurnal Media	343,019	22,006	29.2	37,742,274
5	Delo.si	Delo	225,610	23,044	19.2	6,523,228
May 2011						
1	24ur.com	Pro Plus	724,486	66,053	56.5	102,604,551
2	Siol.net	Planet 938	507,030	57,244	39.5	46,290,512
3	Rtvlo.si	RTV SLO	469,544	60,652	36.6	45,017,053
4	Zurnal24.si	Žurnal Media	381,294	23,607	29.7	40,715,334
5	Dnevnik.si	Dnevnik	226,640	19,111	17.7	5,244,864

Source: MOSS, May 2009–May 2011³⁹

37. SOZ, "Merjenje obiskanosti spletnih strani 2010" (Measurement of Website Traffic 2010). See http://www.moss-soz.si/si/rezultati_moss/obdobje/default.html?period=201012 (accessed 20 February 2012).

38. Renamed TS Media after the merger of Telekom and Mobitel in joint company Telekom Slovenia in July 2011. The name of the portal also changed to Planet Siol.net.

39. MOSS is the Online Audience Measurement project (*Merjenje obiskanosti spletnih strani*), operated by the Slovenian Advertising Chamber (*Slovenska Oglaševalska Zbornica*). See <http://www.moss-soz.si/en/> (accessed 14 May 2012). No data are available for the years before 2009.

1.3.2 Television News Programs

The most popular newscasts over the last five years have not changed much: the most watched is “24 ur” (24 Hours), the main news bulletin on the commercial channel POP TV, broadcast at 7 p.m., while the ratings of the public service broadcaster’s leading news bulletin “TV Dnevnik” (TV Daily), also broadcast at 7 p.m., are falling steadily. Concerning the late-night news shows, the situation is similar, with “24 ur zvečer” (24 Hours Night) on this commercial channel reaching more viewers than “Odmevi” (Echoes) on public broadcaster channel SLO 1. Both commercial and public service television channels also offer lunch and afternoon news bulletins, but a morning news program is broadcast only on the main public service broadcasting channel.

There has been an important increase in the amount of news production in the last few years in the case of POP TV and its production team. The number of their journalists in the last five years was as follows:

- April 2007: 22
- April 2008: 22
- April 2009: 16
- January 2011: 21.

At the same time the amount of their production has increased:

- Until 2007—only one newscast per day, 60 minutes duration.
- In April 2007—an additional evening newscast added from Monday to Friday, adding 20 minutes.
- In March 2008—an early afternoon newscast added from Monday to Friday, with an additional 12 minutes of news time.
- And in April 2010—a newscast at 1 p.m. was added, from Monday to Friday, 60 minutes duration.

The station currently produces 152 minutes of newscasts daily, from Monday to Friday, and 60 minutes on Saturday and Sunday. Before 2007, newscasts totaled 60 minutes per day, with the same number of journalists.⁴⁰

The main new entry in the last five years has been the news show “Svet” (The World), launched on Kanal A in 2007, and broadcast on weekdays and Saturdays at 6 p.m. It is, according to Pro Plus, “the most viewed show in its time slot and also the second most viewed news program in the country.”⁴¹ While POP TV’s news and current affairs programs are relatively general in scope, with news on politics, economics, and international affairs done in a fairly neutral, quality style, the show “Svet” on Kanal A is raising some controversy as it often uses tabloid tactics and approaches, although politics and business are covered as well.

40. Interview with Damjan Košec, General Producer of News Program, POP TV, Pro Plus, 18 January 2011.

41. See http://24ur.com/?section_id=520 (accessed 22 January 2011).

The public service broadcaster, RTV SLO—unlike some other former state television channels in former communist countries—managed to keep relatively high ratings in general, although ratings for the news program have dropped substantially in recent years. This performance has, however, been achieved through the adoption of more commercial, infotainment approaches in its programming, including news programs, in recent years. These generated a lot of controversy among the general public as well as with civil society institutions.⁴²

This commercialization of certain programs is reflected also in the viewing ratings. For example, in 2007, ratings for all main television channels showed that among the three shows with highest ratings on Television Slovenia (*Televizija Slovenija*, or *TV Slovenija*, TV SLO), two were entertainment shows and one was a weekly news review; at the same time, on POP TV there were two daily evening news shows and one entertainment show.⁴³ These data shows that the public broadcaster achieved the highest ratings with entertainment, while the main commercial channel achieved them with news programs, which is somewhat unusual and can also be explained by the increasing commercialization of entertainment on TV SLO. This can also explain the sharp decrease of TV SLO viewers with higher education. At the same time, none of these losses can be attributed to digital migration. (See sections 2.1.1 and 2.2.1.)

1.3.3 Impact of Digital Media on Good-quality News

There has been no impact of the digital television channels on the news offering, as there is no special news offering by the digital broadcasters. The internet has shown some impact on this offering, particularly in terms of speed and ease of access for consumers to different media outlets, because most of them are available free. The main limit on television, but on other media as well, is the size of the country and its population. Since Slovenia is a small country with a population of only 2 million, it does not have the preconditions for a huge quantity and diversity of services that would offer attractive and/or high-quality programming or news production.

Early warnings relating to the limits of the effects of digitization, arising from market size, were expressed as early as 2000: “Digitization will lower certain broadcasting costs, but this doesn’t mean there will suddenly be 200 channels in Slovenia, as in Britain or France or Germany. There will perhaps be one or two new channels, and they will more likely come from public television than from the private sector.”⁴⁴

Further, Slovenia does not share a language with any larger country that would give domestic channels and production houses the opportunity to offer content to a wider audience. This puts it at a disadvantage compared, for example, with neighboring Croatia. Croatian television channels have significant ratings in

42. For example, the show “*Piramida*” (Pyramid) was produced by the news and entertainment departments of TV SLO and was thus clear infotainment.

43. AGB Nielsen Media Research, as quoted in “Top oddaje preteklega tedna” (Top award last week), *Delo-Vikend Magazin*, No. 756, May 2007, p. 8.

44. M. Milosavljević and S. Bašić-Hrvatini, “Who will control the controllers?,” in T. Lees et al. (eds) *Is regulation still an option in a digital universe?*, Luton: University of Luton Press, 2000, p. 254 (hereafter, M. Milosavljević and S. Bašić-Hrvatini, “Who will control the controllers?”).

neighboring Bosnia and Herzegovina, Serbia, and Montenegro, where programs in the Croatian language are fully understood. The domestic media have to compete in a small market.

This has not crippled the quick rise in the number of stations and channels, mainly in the 1990s, due to a liberal policy of media and broadcasting regulation.⁴⁵ However, this saturation has important, and mostly negative, consequences for the quality and variety of channels and programs. The same consequences apply to new media and the internet, where the most popular websites in terms of news production achieve their popularity predominantly with mass-market production, not quality and diversified news. Hence, it is impossible to claim that digital media are contributing to news quality.

1.4 Assessments

The introduction of digitization, particularly digital terrestrial broadcasting, and the adoption of relevant regulation were treated by the majority of the key players, including the relevant government ministries, as mainly a technical question, as if the introduction of digital broadcasting was indeed a step that was technologically determined. The question of content production and content quality has been pushed to the margins, although content diversity, not the technical question of the number of channels per se, should be the key question of digitization and media policy in general.

The digital switch-over ended with the successful transition of practically all terrestrial television channels to the digital platform. However—despite the abundance of space on DTT multiplexes and the technological advantages of digital broadcasting—this process has not led to a significant increase in content or services offered.

It seems that neither broadcasters nor policymakers really know what to do with digitization and digital broadcasting. Policymakers have not presented any plan for using the remaining radio spectrum, previously used for analog terrestrial television. The major broadcasters, on the other hand, act as if nothing has changed. Although they certainly should have at least a general understanding of the opportunities of digital broadcasting, recent productions and content offered still do not show the implementation of a wider range of possibilities. One of the reasons for that could be attributed to a rather rigid licensing regime of the DTT platform, which currently does not encourage introduction of new business models, for instance pay-television, either based on subscription or pay-per-view.⁴⁶ The only improvement can be seen in better terrestrial coverage by the most popular commercial television channels and better picture quality, on both public and commercial channels, since all of them introduced the 16:9 aspect ratio (widescreen) and started to produce news and entertainment in high definition (HD) quality.

45. S. Bašić Hrvatin and M. Milosavljević, “Medijska politika v Sloveniji v deverdesetih” (Media Policy in Slovenia in the 1990s), in *Regulacija, privatizacija, koncentracija in komercializacija medijev* (Regulation, Privatization, Concentration and Commercialization of the Media), Mirovni inštitut, Mediawatch, Ljubljana, 2001.

46. It should be kept in mind, however, that introduction of on-demand services on DTT is challenging also in technical terms, since it requires an internet-connected set-top box.

Digital broadcasting in Slovenia was therefore launched without answers to some of the key questions, including the rationale for its introduction in terms of better and more diverse content. Since the 1990s, the quantity of available channels, both domestic and foreign, was not a problem in Slovenia, and there was little chance that prominent new entrants would appear on the small and already saturated television market. As a result, one of the key aspects and supposed advantages of digitization turned out to lack the necessary appeal for viewers and also for broadcasters, which hesitated to move ahead with digital broadcasting and preferred to continue acting in the relatively safe and stable analog environment.

In television broadcasting in Slovenia, unfortunately, observations made more than a decade ago still sound valid today:

There may be some external pluralism in Slovene private broadcasting ... but there is no true, internal pluralism, pluralism of content, sources and different approaches. And there is no reason to believe that digitization will bring an end to this. For the reason mentioned above, there will probably be some increase in the number of available channels in small countries like Slovenia, but this increase will be very slight, with perhaps one or two channels more. However, recent experiences with our non-regulated commercial broadcasting indicate that the increase of available channels does not automatically mean the increase of content and source variety.⁴⁷

The outcome of the completed digital transition is only a slight increase in the variety of news content on DTT. Pink.Si, one of the two new entrants to the digital terrestrial platform, which started to broadcast just a couple of months before the analog switch-off, abandoned news production, while Info TV, the other newcomer to DTT, previously available only on cable and IPTV platforms, continued to broadcast news and occasional current affairs programs, despite low ratings. However, it soon left the terrestrial platform due to bad financial circumstances. A certain degree of news offer improvement is attributed above all to the extended coverage of the most viewed commercial channels to practically the whole territory of Slovenia and thus also to geographical areas where they were not present before. People living in such areas have now finally got at least a possibility to choose between the news programs of the public service broadcaster and the news of the commercial channels.

Digitization has also not led to a more varied news offer and choice on other platforms. There is very little new news content or production that would be a direct consequence of digitization. The main impact is seen in the speed of internet communication and the ease of access to different (existing) news sources online. The other main consequence is the increase of interactivity, mostly in the form of user comments and forums. These comments often influence the follow-up stories or the shape of stories or agendas. However, as mentioned, there is little new news production that increases offer and choice.

47. Milosavljević and Bašić-Hrvatini, "Who will control the controllers?".

2. Digital Media and Public or State-administered Broadcasters

2.1 Public Service and State Institutions

2.1.1 Overview of Public Service Media; News and Current Affairs Output

According to Art. 1 of the Law on RTV Slovenia (*Zakon o Radioteleviziji Slovenija; lex specialis*, hereafter, Law on RTV SLO), passed on 12 November 2005, RTV SLO is a public institution of special cultural and national importance performing public service in the field of radio and television activities with the aim of fulfilling democratic, social, and cultural needs of the citizens of the Republic of Slovenia, Slovenians abroad, Slovenian national minorities in Italy, Austria, and Hungary, and the Italian and Hungarian national communities in the Republic of Slovenia.⁴⁸

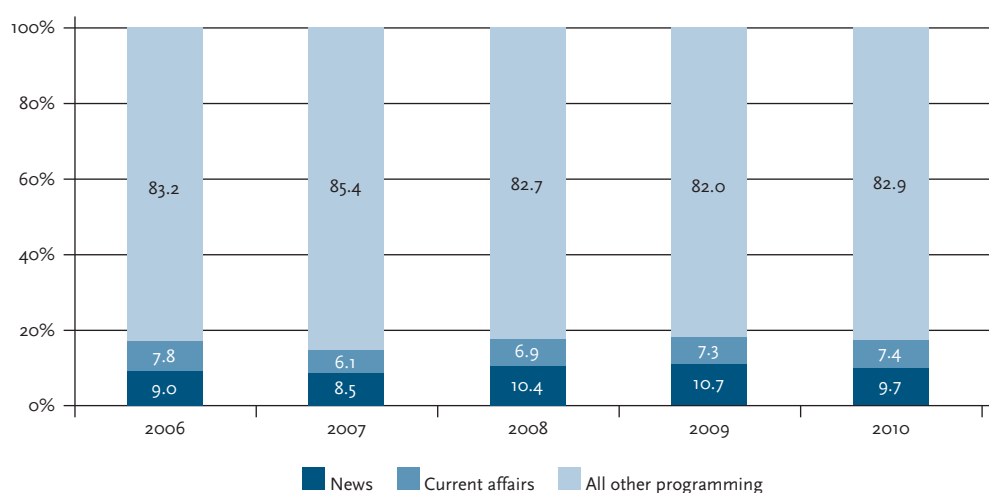
The public service remit of RTV SLO includes the creation, preparation, archiving, and broadcasting of:

- two national television channels;
- three national radio channels;
- radio and television channels in the regional centers in Koper and Maribor;
- a radio and a television channel for the Italian and Hungarian national communities, respectively;
- radio and television programs for the Roma community;
- radio and television programs for Slovenian national minorities in the neighboring countries and Slovenian emigrants and workers abroad;
- radio and television programs for foreign audiences;
- teletext, internet, and mobile portal;
- a special national television channel for direct broadcasting of the sessions of the National Assembly and its working bodies, and the sessions of the National Council.

48. Zakon o Radioteleviziji Slovenija (ZRTVS-1), Uradni list, RS, *Official Gazette*, no. 96/2005, 12 November 2005. See <http://www.uradni-list.si/1/objava.jsp?urlid=200596&stevilka=4191> (accessed 5 March 2011).

Figure 6.

News and current affairs share of program time on TV SLO (% of total), 2006–2010



Source: RTV SLO, 2010

The breakdown of news and current affairs programs on TV SLO channels is as follows:

- Program output of the First Channel of Television Slovenia (SLO 1) in 2007 (without teletext and info channel; number of hours: 13,593):
 - news and bulletins: 8.7 percent
 - current affairs broadcasts: 21.5 percent
 - documentaries: 8.2 percent
 - education: 1.6 percent
- Program output of the Second Channel of TV SLO (SLO 2) in 2007 (without teletext and info channel, number of hours: 6,208)
 - news and bulletins: 1.9 percent
 - current affairs broadcasts: 24.1 percent
 - documentaries: 7.2 percent
 - education: 0.8 percent⁴⁹

In terms of radio, its two general channels remain among the most popular in Slovenia: Val 202 maintains the top position, with a 12.8 percent share in 2005 and a 12.3 percent share in 2009, while First Channel (*Prvi program*) had a 9.1 percent share in 2005 and a 10.4 percent share in 2009.⁵⁰

49. "Presentation of RTV Slovenia," RTV SLO, March 2008. See http://www.rtv slo.si/files/razno/brosura_rtv_ang.pdf (accessed 18 December 2010).

50. According to the Radiometrija research conducted by Media Pool for RTV SLO, 23 September 2010.

Table 10.

Average share of listeners of RTV SLO's radio stations between 5 a.m. and 10 p.m. (%), 2006–2010

Radio station	2006	2007	2008	2009	2010
Prvi program	10.3	9.3	10	10.4	12.3
Val 202	12.9	12.4	11.8	12.3	13

Source: RTV SLO, from Radiometrija research carried out by Media Pool, 2010

In terms of television, both channels of the public service broadcaster still achieve relatively high ratings, especially when compared with some other Central and Eastern European countries. However, a long-term decline in the ratings of the first channel is evident in Table 11. Increasing segmentation and fragmentation of the public are taking place and is acknowledged by RTV SLO; its online presentation says: “The viewers are more segmented from one year to the next in their interests, lifestyles and watching habits, so we try to offer the widest range of broadcasts possible to meet the requirements of most of them.”⁵¹

Table 11.

Average share of viewers of RTV SLO's television channels (%), 2006–2010

TV channel	2006	2007	2008	2009	2010
SLO 1	24	24	23	22	20
SLO 2	9	8	8	8	10
SLO 3	n/a	n/a	n/a	0	2
TV Koper/Capodistria (local)	1	1	0	0	0 ⁵²
TV Maribor (local)	1	1	1	1	2

Note: n/a: not available

Source: RTV SLO, from research by AGB Nielsen Media Research, 2010

Jože Možina, a former program manager of TV SLO (a key position at TV SLO for programming decisions within RTV SLO, second only to the general manager), said: “In general there is a new trend of watching television in Slovenia. People spend more time per day watching television, although these are the same individuals and not new viewers. In addition, the share of commercial and foreign program viewers is rising. There might be a lack of interesting content in the RTV Slovenija's offer.”⁵³ This is particularly clear for some audience segments: viewers with higher education and those aged under 29.

In general, the first channel of TV SLO, SLO 1, has more female viewers (with their proportion increasing). On the other hand, SLO 2 has a higher number of male viewers (probably due to the high number of sports

51. “Presentation of RTV Slovenia,” RTV SLO, December 2005. See http://www.rtvlo.si/files/razno/rtv_brosura_english_pop.pdf (accessed 14 August 2007).

52. TV Koper/Capodistria is composed of two channels broadcasting in shared time; first is a local television channel in Slovenian and the other one, broadcast in Italian, is targeted at the Italian minority in Slovenia. These are their national ratings. Local ratings would probably be a little different.

53. Interview with Jože Možina, Program Manager of TV SLO, Ljubljana, 13 July 2007.

programs). The proportion of viewers over 65 is also increasing, which can be explained by the general trend of an aging population.

In radio, First Channel has an above-average number of older listeners, while Val 202 has a slightly above-average number of male listeners (most probably due to frequent sports transmissions) and of those with higher education.⁵⁴

News and current affairs programs are also still among the most watched programs on RTV SLO (along with sports and entertainment). However, it was precisely these programs that lost the most in terms of ratings in recent years. The ratings of TV SLO and the ratings of these particular programs have dropped since 2005. The average daily rating of SLO 1 has dropped from 3.1 percent in 2005 (26 percent share), to 2.6 percent in 2009 (21 percent share). The average rating of its news program has dropped from 5.6 percent in 2005 (33 percent share) to 4.4 percent in 2009 (26 percent share) and the average rating of its current affairs program has dropped from 4.5 percent in 2005 (22 percent share) to 3.7 percent in 2009 (18 percent share).⁵⁵

Table 12.

Shares and ratings of TV SLO's news and current affairs programs, 2005 and 2009

Programs	Indicator	2005	2009
SLO 1	Share (%)	26	21
	Rating (%)	3.1	2.6
TV SLO's news programs (total)	Share (%)	33	26
	Rating (%)	5.6	4.4
TV SLO's current affairs programs (total)	Share (%)	22	18
	Rating (%)	4.5	3.7

Source: AGB Nielsen Media Research, 2010

2.1.2 Digitization and Services

The public service content of RTV SLO is delivered to the audience via a number of channels and options, including terrestrial and satellite broadcasting and the number of delivery paths increased through digitization. Currently, the public service broadcaster's services are delivered via:

- radio and television terrestrial broadcasting in Slovenia;
- IPTV networks in Slovenia;
- cable networks in Slovenia and those foreign countries that signed contracts on re-emission (in Austria, Bosnia and Herzegovina, Croatia, Czech Republic, France, Hungary, Macedonia, Montenegro, Poland, Serbia, Slovakia, and Sweden);
- satellite (Hot Bird 8);

54. According to the Radiometrija research conducted by Media Pool for internal RTV SLO use, 23 September 2010.

55. AGB Nielsen Media Research (relevant yearly reports).

- website (Rtvslo.si);
- mobile devices (at Rtvslo.si/wap and Rtvslo.si/pda,⁵⁶ or in the mobile television package of Telekom Slovenia).

Along with delivery paths, the number of services increased as well, since RTV SLO is also required by law to create, produce, and archive internet and mobile portals. Within the broadcaster, the responsibility for implementing these provisions lies with its Multimedia Center (MMC), which creates and broadcasts multimedia text, and pictorial, audio, and video content for new media. The MMC creates teletext, web pages (Rtvslo.si), and the WAP portal (Wap.rtvslo.si). The MMC also has to produce three information channels (children's, entertainment, and news) and to subtitle the broadcasts for hearing impaired people.

The multimedia portal Rtvslo.si is the fourth most visited website in Slovenia.⁵⁷ It had 445,183 visitors in December 2010, and 475,634 in June 2012. The portal was the first in Slovenia to offer video and audio on demand. It also offers live streaming of radio and television programs. The content (video and audio) can be accessed non-linearly and on demand. The MMC of RTV SLO is the only one in Slovenia to offer a culture portal (Rtvslo.si/kultura) and children's and educational content.

Since April 2005, visitors to this web portal can also receive five types of free news at their e-mail address: daily, weekly, cultural, entertainment, and sports news. The website of RTV SLO also offers a number of interactive services and user-generated content (UGC): online auctions; games; sending messages to the webmaster, an editor, or a journalist; opinion polls; commenting on articles; rating articles; chatting; discussion forums; and blogs. With the help of RSS feeds, most of the websites facilitate the personalization of received content.⁵⁸

Moreover, RTV SLO also offers online news and other content for mobile telephone subscribers who are able to receive content (i.e. breaking news) while on the move and on demand (i.e. short news items from the archive). In compliance with technological guidelines, RTV SLO enabled access to selected content for MP3 users by means of RSS technology (i.e. podcasting, where a user can download a broadcast to an MP3 player immediately after it appears on the website). The content is produced by special groups within the editorial offices and other production units, which work in close collaboration with original production. The MMC has had a special editorial office, as well as dedicated funding (and is part of neither Radio nor Television Slovenia). The funding accounts for 1–2 percent of the annual income of RTV SLO.

In late January 2012, the Statute of RTV SLO was changed, however, with the purpose of removing the position of the special editor of the MMC and instead delegating the role of editing the online content of

56. See "Presentation of RTV Slovenia," RTV SLO, March 2008, p. 32.

57. Research on the most-visited Slovenian websites (MOSS), December 2010. See http://www.moss-soz.si/si/rezultati_moss/obdobje/default.html?period=201012 (accessed 28 February 2010).

58. Interview with Zvezdan Martič, editor-in-chief of the Multimedia Center, Ljubljana, 21 June 2007.

RTV SLO to the editors of radio and television units within the public service broadcaster. The changes were intended to better harmonize online content within RTV SLO. The team of people working at the MMC is supposed to continue to produce their own content within the editorial board for new media, but with greater emphasis on integration of other units' content. For now, it is premature to estimate how the new organizational structure will function and how efficient it will be. However, the restructuring and dismissal of a few sub-editors provoked some public disapproval and was criticized by the Association of Journalists and Commentators (*Zveza novinarjev in publicistov*, ZNP),⁵⁹ which claimed that the reorganization of the MMC was politically motivated.

In the years before digitization of terrestrial broadcasting started in Slovenia, RTV SLO was one of the first institutions to warn that the state had not adopted any decisions regarding digitization, and had not engaged enough in the process that was taking place across Europe. The awareness of the problems of digitization and new content that should be offered had been articulated in the *Strategy on RTV Slovenia 2004–2010*.⁶⁰ The document from 2004 stated that the public service broadcaster should provide additional specialized digital television and radio channels of informative, parliamentary, educational, sports, and archival character. In practice, however, no significant steps there were made toward the actual launch of most of these channels and the six-year period ended with only the parliamentary channel (SLO 3) being added to the standard program offer of the public service broadcaster.

Yet in the early phase of digital transition, some journalists pointed out that there was no serious debate on what RTV SLO would offer to the public in the digital era: “the question remains, what would they broadcast, since they didn’t prepare any services that would bring ‘added value’ to the digital world (i.e. video on demand, television guides, interactive services ...).”⁶¹ In 2006, the then Director General of RTV SLO, Anton Guzej, replied that they planned high-quality offers in all genres, including popular ones. “On eight television channels we will offer general, specialized, web, interactive, mobile, and other new digital services.”⁶²

However, according to the then Head of the MMC, Zvezdan Martič, there was no strategy or plan for exploiting the opportunities created by digitization, and there were only opportunistic changes, but no strategic. According to Mr Martič, RTV SLO could reuse some of its archive content and “it should establish a 24-hour news channel. However, there is no document or any paper about it.”⁶³ A couple of years later, on switch-off day, Miran Dolenc, the Director of the Transmitters’ Unit of RTV SLO, attributed the delay in introducing new services to financial reasons and estimated that the eventual introduction of one new public service thematic channel originally planned for 2011 would still leave enough free capacity for commercial

59. The ZNP is one of the two journalists’ associations in Slovenia. It is preferred by journalists who are perceived by the public as center-right or right-wing in political terms.

60. *Strategija dolgoročnega razvoja RTV Slovenija 2004–2010* (Long-term Development Strategy for RTV Slovenia 2004–2010). See http://www.rtvlo.si/strategija_rtv_slovenija_2004-2010-mediji-6-9-05.doc (accessed 16 March 2011).

61. L.J. Kučič, “Neznanke digitalne televizije” (The unknowns of the digital television) *Medijska preža* (Media Watch), Ljubljana, May 2006.

62. Authors’ written interview with Anton Guzej, Director General of RTV SLO, Ljubljana, 16 July 2007.

63. Authors’ written interview with Zvezdan Martič, Head of the Multimedia Center, Ljubljana, 21 June 2007.

use. He also revealed that RTV SLO has certain plans in relation to the introduction of pay television on DTT.⁶⁴ Regardless of how controversial such undertakings would be for a public service broadcaster, nobody has criticized that openly yet. At the same time, the public broadcaster has not introduced any new thematic channel in 2011 and it remains to be seen if any such channel will be launched in the near future.

Very little was also said about digital technologies in the Law on RTV SLO, which is still in effect today, as its revised version was put to a referendum in 2010 and rejected. The Law on RTV SLO barely touches on digitization and does not deal with the specificity of digital transmission. This also prevents the development of new channels and new offerings, which has become an increasing problem in 2010 and 2011, as some plans for additional channels (cultural, for example) were already being developed. According to the Law on RTV SLO, no such channels can begin broadcasting, as this is not included in the public service remit of the public broadcaster. At the time of writing, it is still not clear what will happen in terms of new channels and new media development by the public broadcaster.

2.1.3 Government Support

In 2007, RTV SLO announced that it would invest €20 million (US\$24.5 million) in equipment needed for digitization.⁶⁵ The then Director General of RTV SLO, Anton Guzej, expressed hope that the government would provide targeted financial help.⁶⁶

The present Director General of RTV SLO, Marko Filli, reported in an interview that the broadcaster has so far invested more than €3 million (US\$3.81 million) from RTV SLO's own resources, without any reimbursement from the state: "As you know, we've paid for the switch-over from our so-called development funds, from our household silver, which we've had in stocks."⁶⁷

RTV SLO did actually get €1.2 million (US\$1.53 million) in state support in 2008 for technical equipment digitization, but it turned out that these funds were used for some other aims. Franci Kek, a member of parliament, posed a parliamentary question in 2010, asserting that €1.2 million, allocated to RTV SLO from the state budget in 2008, was used to pay salaries. The deputy pointed to the paradox of RTV SLO receiving money from the state despite having around "€50 million of own funds reserved for digitization," a sum that was accurate.⁶⁸

64. Interview with M. Dolenec in B. Petkovič, "Osem milijonov za digitalni preklp" (Eight millions for digital switch-over) *Dnevnik*, 1 December, 2010, p. 4.

65. M. Ropret, "Digitalna televizija bliže, a še na čakanju" (Digital television closer, but still on hold), *Delo*, 5 June 2007, p. 3.

66. Authors' written interview with Anton Guzej, Director General of RTV SLO, Ljubljana, 16 July 2007.

67. B. Mekina, "Prihaja analogni mrk, mi pa ne vemo kako naprej" (The analogue darkness is coming and we don't know how to go on), *Monitor*, November 2010. See <http://www.monitor.si/clanek/prihaja-analogni-mrk-mi-pa-ne-vemo-kako-naprej2/> (accessed 16 March 2011) (hereafter, Mekina, "Prihaja analogni mrk").

68. "RTV Slovenija sredstva, namenjena za digitalizacijo, dala za plače zaposlenih?" (RTV Slovenia spends the funds, intended for digitization, for its salaries") *Dnevnik*, 7 December 2010. See <http://www.dnevnik.si/novice/slovenija/1042408636> (accessed 16 March 2011).

As a matter of fact, the Slovenian Court of Auditors in its audit of the state budget for 2008 indeed detected misuse of budgetary funds in the case of the €1.2 million disbursed to RTV SLO by the Ministry of Economics for digitization of the broadcaster's equipment. The examination revealed that RTV SLO's digital equipment had been purchased already in 2007 and 2008, well before the transfer of the budget money was approved and carried out, and the court considered such redeployment of money unacceptable.⁶⁹

Filli denied allegations that RTV SLO spent the €1.2 million on salaries: "No doubt we can prove that those euros were spent on the introduction of HD technology and on the technical setting up of the parliamentary channel."⁷⁰

Apart from the above-explained state subsidizing, which was officially intended at RTV SLO for digitization, the public service broadcaster was also offered privileged access to the radio spectrum, as it was given the right to obtain the radio frequencies for establishing the first national DTT network by law, without the need to compete for them via public tender.

As explained in section 5, RTV SLO took advantage of operating the DTT network with the best coverage in the country. On the basis of an unfortunate statutory provision,⁷¹ which permitted RTV SLO to freely use the unoccupied capacity in its multiplex, the public broadcaster offered to rent the extra space on its multiplex to its commercial rivals, instead of using it for developing its own services.

Therefore, it cannot be concluded that the above-described financial, legal, or spectrum-related state support has affected RTV SLO's independence in the sense of increasing government pressure. Its commercial approach to the capacities of its multiplex, for instance, put it in an independent position, although not completely in line with its public service remit. This commercial approach has been criticized by the operator of the commercial multiplex, Norkring, which filed a complaint about this case to the Office for the Protection of Competition (*Urad Republike Slovenije za varstvo konkurence*, UVK) in Slovenia and to the European Commission in Brussels. The public broadcaster, meanwhile, tried to justify its approach by claiming that it could not give up that source of revenue and, despite public and government criticism of such commercial use of the "public" multiplex, it continued to offer access to commercial users. The law has been changed since then and commercial broadcasters will have to leave the public mux, as soon as another mux with national coverage is in operation (instead of multiplex B which ceased to operate).

2.1.4 Public Service Media and Digital Switch-over

Just a few of months before the analog switch-off, RTV SLO was a couple of percentage points short of reaching its obligatory 95 percent coverage of the Slovenian population. The government helped it with a

69. K. Škrinjar, "V primežu računskega sodišča" (In the grip of the ECA), *Delo*, 19 May 2010. See <http://www.delo.si/clanek/106784> (accessed 16 March 2011).

70. Mekina, "Prihaja analogni mrk."

71. Art. 15 of the Digital Broadcasting Act (2007).

quick revision of the Digital Broadcasting Act, which made it possible to leave in operation some small analog transmitters that were necessary to cover the areas without the digital signal. RTV SLO, which managed to get to the obligatory coverage soon after the switch-off date in December 2010, had to turn off the remaining analog transmitters by the end of June 2011 at the latest. The last 40 analog transmitters covering remote villages were switched off on 30 June 2011.⁷²

As early as 2006, the then Editor-in-chief of the MMC, Mr Martič, warned of possible problems with digitizing RTV SLO. He warned that the level of expertise at RTV SLO was “very low,” and there were “not enough experts.” He was also cautious about whether the existing internal organization facilitates or hampers the introduction of digital broadcasting, since he believed that there was “no other ongoing communication between key personnel,” apart from that between the MMC and the Department of Transmissions. “For example, Radio Slovenia only found out after a year and a half that we were already producing podcasts.” According to Mr Martič, the interaction amounted to “level zero.”

The present General Director, Marko Filli, on the other hand, emphasized some of the positive aspects of digitization in summer 2010: “It is theoretically true that digital technology offers a number of possibilities, including interactivity, and it depends upon the provider what it will offer. At RTV SLO we can with digitization for now offer better reception of signal and a wider list of thematic channels.”⁷³ However, RTV SLO has launched neither thematic channels nor any new services so far and it remains to be seen when this will actually happen. At this stage, we would conclude that digitization helped RTV SLO only by enabling the terrestrial transmission of the parliamentary channel SLO 3, while the public service broadcaster’s reach, influence, and engagement with the audience did not substantially change.

2.2 Public Service Provision

2.2.1 Perception of Public Service Media

In a survey in 2007 a question was posed on how people evaluated the objectivity of reporting on RTV SLO’s main news program, *TV Dnevnik*, and POP TV’s main news program, *24 ur*. The results showed that people found commercial channel POP TV’s news more objective (45 percent in September; 49 percent in November) than RTV SLO’s news (30 percent in September; 28 percent in November).⁷⁴ As mentioned earlier, POP TV also won the “trusted brand” title in 2009 and 2010. The decrease of trust in RTV SLO’s objectivity may have been caused also by a number of reported cases of political pressure on journalists and management interventions in the reporting during that period. The newly appointed editor-in-chief of TV

72. See the list at <http://www.rtvsl.si/dvb-t/izklopi.php> (accessed 15 July 2011).

73. B. Petkovič and U. Škerl Kramberger, “Marko Filli: Za RTV so značilni vrtički, na katere vplivajo politika in drugi lobiji” (Marko Filli: It’s characteristic for RTV Slovenia that there are small gardens, influenced by politics and other lobbies), *Dnevnik*, 7 August 2010. See http://www.dnevnik.si/tiskane_izdaje/objektiv/1042378959 (accessed 7 August 2010).

74. Center for Research of Public Opinion (*Center za raziskovanje javnega mnenja*, CRJMM), *Politbarometer 11/2006*, Ljubljana, 4 December 2006. See http://www.cjm.si/sites/cjm.si/files/File/raziskava_pb/pb11_06.pdf (accessed 24 June 2007).

SLO news and current affairs, Ksenija Horvat Petrovčič, stated in an interview in March 2011 that: “The fact that 15 journalists—well-established and well-known—had at that time left TV SLO is today in my opinion still a big black mark on the previous management (of the public broadcaster).”⁷⁵ This decrease of trust may have important long-term consequences for the credibility and perceived independence of Slovenian public service broadcasting. It was probably also one of the main reasons for the decrease of viewership of the RTV SLO news program over the last five years.

Some politicians still refer to RTV SLO as “state” television. However, this seems to reflect their perception of media and public broadcasters in general, not just in Slovenia. Indeed, back in 2008, the then (and now current) Prime Minister Janez Janša even referred to the Finnish public broadcaster as a “state” broadcaster.⁷⁶ This approach shows a lack of understanding of “public” or “public service” media by part of Slovenian society, including—but not limited to—politicians.

2.2.2 Public Service Provision in Commercial Media

Apart from public service broadcast channels, there are also around 70 private television channels, most of them niche, broadcast only on cable systems. APEK and the Ministry of Culture granted the status of “special significance” to 10 local, regional, and non-profit television channels, which broadcast some public service content, i.e. local news and current affairs, minority programs, children’s programs, etc. This entitles them to apply for public co-funding. Others can compete for public subsidies, too, but the funds for them are not as extensive as those aimed at channels of special significance.

Commercial channels are required to comply with certain obligations in programming, including regulations on the origin of programming. These include the requirement that 20 percent of a station’s daily programming consist of in-house produced programs, of which at least 60 minutes must be broadcast between 6 p.m. and 10 p.m. In addition, all television channels except local ones must comply with provisions on the promotion of EU audiovisual content, requiring that EU material represent a majority of their programming, not counting news, sports events, games, advertising, and teleshopping. The Public Broadcasting Act requires that 5 percent of each channel’s annual broadcast time must be reserved for audiovisual products of Slovenian origin.

However, commercial channels are not required to broadcast news and current affairs, as the Mass Media Acts from 1994 and from 2001, amended in 2006, had no such provisions. However, this strand seemed so important to the managers and editors of the newly established POP TV in 1995 (in order to create an image of a serious and responsible television channel) that they created daily news and weekly current affairs

75. K. Škirnjar, “Odgovorna urednica TVS: Pro et contra in delitve na leve in desne so preživeti” (Editor-in-chief of TV Slovenia: Pro et contra and the split between the left and the right are the thing of the past), *Delo*, 7 March 2011. See <http://www.delo.si/clanek/143032> (accessed 7 March 2011).

76. See “Video: Janša pričakuje dokaze” (Video: Janša is expecting the evidence), 24ur.com, Ljubljana, 10 September 2008. See http://24ur.com/novice/slovenija/cisti-primer-za-sodisce_comment_p39_a468.html?&page=39&p_all_items=468 (accessed 1 February 2011).

programs,⁷⁷ which have been broadcast ever since. News and current affairs are, as we saw, among the most watched programs on the main commercial channels POP TV and Kanal A.⁷⁸

2.3 Assessments

So far, the only positive consequence of digitization for RTV SLO regarding new channels is the fact that digital transmission of the network enabled the transmission of the third, so-called parliamentary channel, which RTV SLO was required to broadcast starting in 2005, even though it lacked adequate analog frequencies. This channel, which also contains news programs, current affairs shows, and documentaries, finally started to broadcast on cable in 2008, and only with the transition to digital terrestrial broadcasting has it been made available to all potential viewers in Slovenia.

Otherwise, the main consequences of the digital switch-over of terrestrial platforms has related to the distribution of the program and the related costs, but not in terms of new channels available to users. On the other hand, the public broadcaster quite successfully positioned itself on the field of new media. The website of RTV SLO is among the most popular in Slovenia. In addition, new media offer a number of new services and include a number of new platforms.

The importance of public service provisions has not changed in recent years, as there were few developments in terms of new broadcasting channels and content. The case of Slovenian digital broadcasting seems to confirm many problems of digital broadcasting in general. Apart from EU pressure to release part of the radio spectrum devoted to broadcasting for other users, such as telecoms, one of the reasons for digitization was the limited possibility of further development of television with analog transmission. In the Slovenian case, the exhaustion of radio spectrum capacities was also caused by the lack in the past of a relevant national strategy for the development of broadcasting. The absence of a broadcasting expansion concept led to the proliferation of radio and television channels without any content criteria in allocation of frequencies.

In the 1990s, Slovenian society was faced with a rapid increase of broadcasting channels, but without improvement of content plurality and diversity.⁷⁹ In the following decade, history repeated itself to some extent. In contrast to developments in the analog era, the number of channels has not increased much and in the years after the switch-over it was impossible to fill the capacity of both operating multiplexes. Nevertheless, the development of broadcasting is taking place without a consistent media policy, as in past decades, and is left entirely to the ideas and goodwill of the most influential broadcasters themselves, RTV SLO included.

77. M. Milosavljević, "Daj ljudstvu to, kar hoče—POP TV" (Give the people what they want—POP TV), *Delo-Saturday Supplement*, 23 December 1995, p. 37.

78. AGB Nielsen data from research on television trends, commissioned by APEK, 2007, 2009, and 2011.

79. M. Milosavljević, "Amerika, vendar južna: TV po slovensko" (America, but South: TV in the Slovenian style), *Delo*, 27 January 1996, p. 44; M. Milosavljević, "Nadzor nad 'licencami za tiskanje denarja': spremembe zakona o javnih glasilih" (The control over "the licences to print the money": changes of the mass media act), *Delo*, 28 June 1997, p. 32.

Digitization has not really affected the programming of the public broadcaster yet, as RTV SLO is only starting to develop new channels; its influence is currently felt only at the production and the distribution level. The emergence and development of commercial broadcasting has had more of an influence on programming, as has been discussed above. As a result, RTV SLO has lost an important share of viewers as well as its dominant position in television advertising.

Apparently everyone agreed that RTV SLO should redefine and reinforce its role as a multimedia organization, instead of just being a radio and television broadcaster. In line with this were their plans regarding the MMC. “Our biggest priority is the construction of a new digital multimedia news center in Ljubljana. With that our diversified offer of most multimedia services will be completed,” Mr Možina explained.⁸⁰

However, this is also the path that many other media outlets have been taking, including some newspapers, which are preparing video news on their websites, produced in their own studios.⁸¹ This means that RTV SLO is facing new competition trying to provide at least some content similar to what is offered by the public service broadcaster—especially news, but also on-demand and UGC. Old divisions between newspapers and broadcasting are in many ways already blurred, as many newspapers produce videos⁸² or even have their own television/video studios (e.g. Studio Delo, part of Delo.si at the newspaper *Delo*, until 2010). On the other hand, less attractive commercially and more demanding content and news will most likely remain largely absent from commercial media, as has been the case so far, particularly documentary, education, religious, science, and similar programs and content.

80. Interview with Jože Možina, 2007, Program Manager of TV SLO, 13 July 2007.

81. For example, *Delo*, as well as *Dnevnik*, with its previous plans regarding multimedia company Black Box and connections with an internet portal with video news, *Vest.si*.

82. Free newspaper *Žurnal24* produced three videos daily in 2008. See also M. Borko, “Konvergenca v novinarstvu (na primeru časopisa *Žurnal24* in spletnega portala *zurnal24.si*)” (The convergence in journalism (case study of newspaper *Žurnal24* and its online version *zurnal24.si*)), Fakulteta za družbene vede (Faculty of Social Sciences), p. 61.

3. Digital Media and Society

3.1 User-Generated Content (UGC)

3.1.1 UGC Overview

The 10 most popular websites in Slovenia include four sites launched by Slovenian companies and six global internet services, including Google, Yahoo!, Facebook, YouTube, and Wikipedia.⁸³ The four most prominent Slovenian sites are run either by established media, such as the leading commercial television broadcaster Pro Plus (24ur.com), the national public service broadcaster RTV SLO (Rtvslo.si), or the biggest telecoms operator, state-owned Telekom Slovenia, which through its media and web company TS Media offers the top Slovenian search engine (Najdi.si) and one of the most-used multimedia portals (Siol.net).

Table 13.

Top 10 most popular websites by number of visitors, February 2012

Website	Web address
Google	Google.si
Google	Google.com
Facebook	Facebook.com
YouTube	Youtube.com
24 ur	24ur.com
Wikipedia	Wikipedia.org
RTV SLO	Rtvslo.si
Yahoo!	Yahoo.com
Telekom Slovenia Online	Siol.net
Slovenski iskalnik (Slovenian search engine)	Najdi.si

Source: Alexa, February 2012

83. See <http://www.alexa.com/topsites/countries/si> (accessed 12 February 2012).

All listed websites offer various possibilities for sharing UGC, though only a few qualify as predominantly UGC websites (i.e. YouTube, Wikipedia, and Facebook).⁸⁴

Among the Slovenian websites, the largest relative growth in the two-year period from 2007 until 2009 was recorded by the multimedia sites 24ur.com (growth of 13 percent), Siol (21 percent), and RTV SLO (23 percent). Global players Wikipedia (43 percent) and YouTube (57 percent) made substantial gains as well.⁸⁵

As far as Slovenia-based websites are concerned, there are no UGC websites among the 10 most popular sites. As already explained in previous chapters, digitization has introduced several new content-sharing possibilities but has not increased the independent news offer much. Nevertheless, the overall diversity of various types of content has increased, mostly content shared via forums, comments, and blogs on established media and telecoms websites, within independent special interest or generalist websites, and via social networks.

Although blogging is quite popular, most of the blogs are dedicated to personal issues (with the blog as a diary, describing personal life, personal taste, different lifestyles or interests such as gadgets, music, etc.). There are very few blogs that are news-oriented and not many blogs by journalists writing on their own. Certain media, for example the public broadcaster RTV SLO on its website Rtv slo.si, promote blogging as a form of additional expression, either by their own journalists or by the general public (mostly by well-known Slovenians).

Most of the media invite users to write comments on their websites; however, there are cases where editors or blog writers allow comments only by users who officially register and give their full name and other information to prevent anonymous comments (for example, this is done by Delo.si and some of its journalists, such as columnist Marko Crnkovič).

Most of the media also invite users to contribute their own content to their websites. They encourage users to send their news reports or provide photographs or videos. One example is the newspaper *Žurnal24* and its “*Jaz poročam*” (I Report) section (Zurnal24.si/jaz-porocam). They also offer their readers a fee for contributions: €100 for a front-page photograph, €40 for a video that is published on the website, and €20 for a picture published in the newspaper.⁸⁶ The daily newspaper *Dnevnik* had a similar section on the front page of its website Dnevnik.si. However, most of the news reports that were published there were actually sent by corporate public relations representatives, making this users’ section in effect a space for the promotion of different events or products; it has been since removed from the front page of *Dnevnik*’s website.

84. Recognized as the three most visited online communities also by the RIS study “Online Communities 2010.” See “Spletna obiskanost, marec 2010” (Online visits, March 2010), Research into the Internet in Slovenia (*Raba Interneta v Sloveniji*, RIS), Faculty of Social Sciences (Fakulteta za družbene vede), Ljubljana, 2010.

85. “Spletna obiskanost, marec 2010” (Online visits, March 2010), Research into the Internet in Slovenia (*Raba Interneta v Sloveniji*, RIS), Faculty of Social Sciences (Fakulteta za družbene vede), Ljubljana, 2010.

86. See <http://www.zurnal24.si/jaz-porocam> (accessed 15 January 2012).

3.1.2 Social Networks

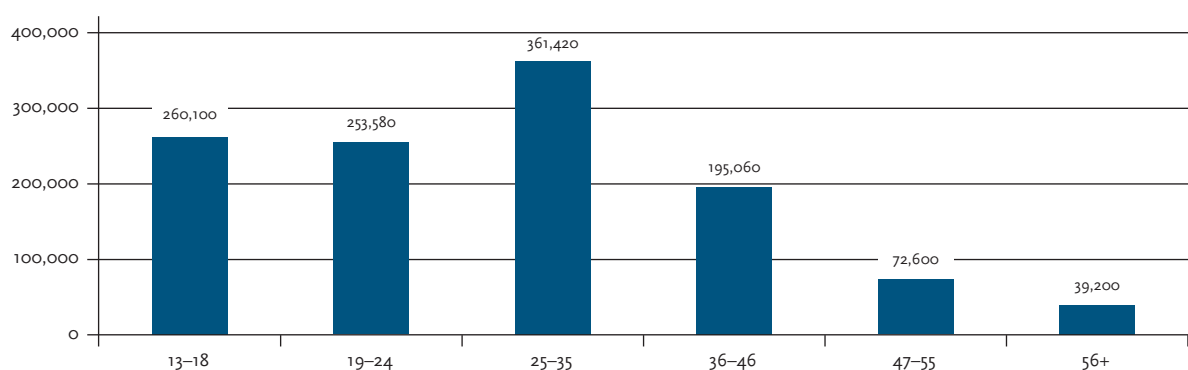
As in many other parts of the world, the dominant social network in Slovenia is Facebook, with more than 685,000 users in February 2012, according to Facebook statistics at Socialbakers.com and at Facebook.com.⁸⁷ This translates into more than half of the total online population in Slovenia (52.79 percent) and more than 34 percent of the country's population, which puts Slovenia in the first third on the scale of countries.

The total number of Facebook users in Slovenia grew by more than 27,260 in the six months to February 2012,⁸⁸ most significantly in the age group 25–35 (see the charts below). In 2010, the most rapidly growing user age group of Facebook users in Slovenia were women aged 45–55, and the age group 56–65 was also growing fast.⁸⁹

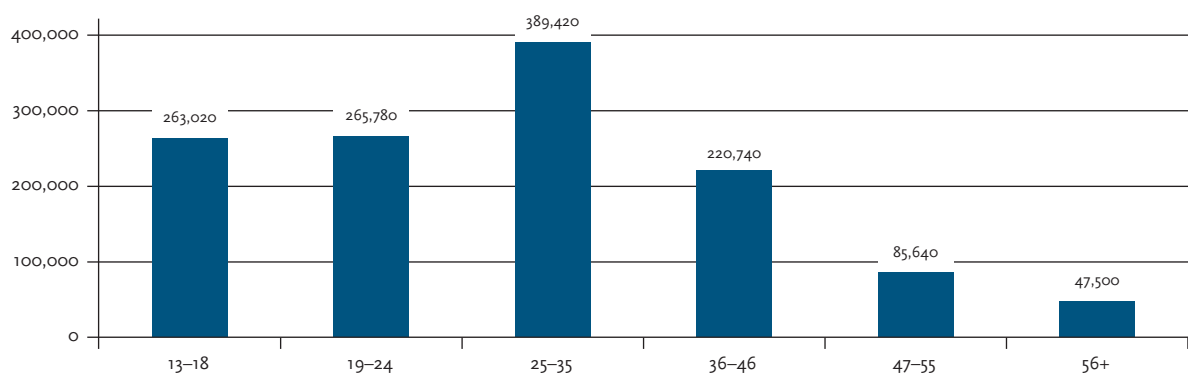
Figure 7.

Number and age structure of Slovenian Facebook users, May 2011 and February 2012

May 2011



February 2012



Source: Facebook.com/ads/create, May 2011–February 2012

87. See <http://www.socialbakers.com/facebook-statistics/?interval=last-week#chart-intervals>, which provides daily updated statistics from more than 200 countries; and <http://www.facebook.com/ads/create/>, which offers demographic figures on the target groups when creating a Facebook ad (accessed 22 May 2011 and 12 February 2012). The numbers provided by Socialbakers and Facebook are slightly different, though both figures are around 685,000.

88. Status in February 2012.

89. Oseli, "Analiza digitalnega okolja" (The analysis of digital environment), survey commissioned by APEK, December 2010 (hereafter, P. Oseli, "Analiza digitalnega okolja").

Twitter's popularity has also seen substantial growth, as the data published on Sitweet.com—a tool designed exclusively for monitoring the adoption and use of Twitter in Slovenia—show. They indicate that there were 15,675 Twitter users in Slovenia in February 2012, almost twice the number as in May 2011. Some 9,200 Twitter users published more than 64,600 messages in the week of 10–16 May 2011 and had approximately 115 followers each, while in the week of 30 January to 5 February 2012 Slovenian Twitter users posted more than 124,000 messages and had on average 122 followers each.⁹⁰

Despite the still relatively small number of users, Twitter is becoming increasingly influential in Slovenia. This can be attributed to the fact that many opinion makers are involved in this social network. In demographic terms, Slovenian Twitter users are mainly from the largest urbanized areas, as most users come from the capital Ljubljana and its surroundings.

The composition of Twitter users and its most active representatives, who in many cases are either renowned personalities from media, politics, high technology, and digital industry, or high-ranking bloggers, make Twitter in Slovenia an increasingly important social network tool. "Twitter has become the fastest and most up-to-date medium. You can be the first one to report on something, while others still have to record, write, edit, and publish their material," explained Aljaž Bitenc Pengov, director of *Radio Kaos*. According to him, Twitter is an extremely powerful tool, for the confidence users have in people whom they follow on it: "If somebody from the circle of the people I follow publishes information, I just share it with others without checking it."⁹¹ Therefore it is not surprising that events on Twitter often shape the media agenda, as topics launched in the "Twittersphere" or tweets published by politicians are sometimes further elaborated on by mainstream media.

Such was the case of a Twitter exchange between the former (and now again) prime minister Janez Janša, the editor of *Mladina* magazine, Gregor Repovž, and the former Minister of Higher Education Gregor Golobič in July 2011,⁹² or the Twitter debate over the hidden property ownership of the winner of the last parliamentary elections, the former mayor of Ljubljana, Zoran Janković, in November 2011.⁹³ In both cases, as well as in many others, the communication was marked by language more resembling anonymous online comments than the expected standards of political communication. And it is precisely this feature of the political online discussions that makes them attractive enough to be reproduced in the mainstream media, explains Domen Savič, co-editor of the web portal e-Demokracija.si and an active Twitter user: "When one starts to follow Slovenian politicians on any online channel, he or she will soon discover the guiding principles of online

90. See <http://sitweet.com> (accessed 12 February 2012).

91. I. Kosmos, "Tvitertstvo pri nas: Če me ne zanimaš, ti ne sledim" (Tweeting in Slovenia: If you're not interesting, I'm not following you), *Dnevnik*, 16 April 2011. See http://www.dnevnik.si/objektiv/vec_vsebin/1042438532 (accessed 24 May 2011).

92. "Politično obračunavanje se seli na Twitter: Janša nad Repovža, Golobič pa nad Janšo" (Political conflict moves to Twitter: Janša attacks Repovž, while Golobič attacks Janša), *Dnevnik*, 5 July 2011. See http://dnevnik.si/novice/aktualne_zgodbe/1042456824 (accessed 15 July 2011).

93. S.Š., "Lažnivi Golobič na twitterju branil lažnivega Jankoviča?!" (Lying Golobič defending lying Janković on Twitter), *Reporter*, 20 November 2011. See <http://www.reporter.si/slovenija/la%C5%BEnivi-golobi%C4%8D-na-twitterju-branil-la%C5%BEnivega-jankovi%C4%87/7025> (accessed 28 January 2011).

political communication: superficial, sensational and mostly intended for conventional mass media, which benefit from the low-budget production of political content.”⁹⁴

Apart from the globally present and popular Facebook and Twitter, unofficial surveys⁹⁵—on which we have to rely, as there is no systematic all-encompassing monitoring at the national level—report that in Slovenia the European social network Netlog; Yahoo!’s web portal for publishing photos, Flickr; the portal for sharing presentations, SlideShare; and the business networking tool LinkedIn are also popular, while mobile users increasingly use Gowalla, Foursquare, Instagram, Flipboard, and other services.

While there is no domestic social network in Slovenia, there are a number of online communities. The strongest commercial audiovisual media company Pro Plus produces the most popular special-interest web portals: Zadovoljna.si (with a range of 374,000 users), Vizita.si (341,000), Moškisvet.com (307,000), Cekin.si (300,000), and Bibaleze.si (273,000). Web video portals GenSpot and Mojvideo also reach more than 220,000 users each, while the game portal for children, Igre123.com, reached around 200,000 users in March 2011, according to the MOSS website monitoring project carried out by Valicon.⁹⁶ There are no data on the range or number of users for the online community *Frendi In Flirt* (run by Pro Plus), with mainly video content.

3.1.3 News in Social Media

The study “Online Communities 2010,”⁹⁷ on the involvement and activities of the population of Slovenia in online communities, which was conducted by the RIS project in December 2009 on a representative sample of respondents aged 10–75 (n = 1,209), showed that there were 1,249,000 regular internet users (i.e. using the internet in the previous three months), which accounts for 74 percent of that age group. Regular internet users, as classified by the RIS researchers, visited online video and photo communities most often: at least once a month (45 percent of regular internet users or almost 565,000 citizens); and online social networks (44 percent or 552,000 inhabitants). These services were followed by online discussion forums (29 percent or 367,000 inhabitants) and blogs (23 percent or 231,000 inhabitants).

Online communities were most often visited by men (e.g. for online forums, multiplayer games, chat rooms, and video and photo communities); young users aged 10–19 (multiplayer games, chat, and video and photo communities); the 20–27 age group (web services, web forums, blogs, virtual worlds, and online social networks); and daily users of the internet (all online communities).

94. T. Barič, “SDS-ovi obračuni prek Twitterja” (SDS’s attacks through Twitter), *Žurnal24*, 6 September 2011. See <http://www.zurnal24.si/sds-twitter-komunikacija-clanek-134314> (accessed 28 January 2012).

95. Oseli, “Analiza digitalnega okolja.”

96. See the list at http://www.moss-soz.si/si/rezultati_moss/obdobje/default.html (accessed 23 May 2011).

97. *Spletne skupnosti 2010* (Social Communities 2010), research by the RIS project within the Center for Methodology and Informatics of the Faculty of Social Sciences, University of Ljubljana. See http://www.ris.org/db/13/11719/RIS_poročila/Spletne_skupnosti_2010/?&p1=276&p2=285&p3=1318 (accessed 23 May 2011).

As highlighted by the study, the comparison with Eurostat data on the attendance and participation in online communities of regular users of the internet revealed that in 2008, Slovenia was above the EU average in almost all indicators. The Slovenian users were below the European average only in creating and maintaining their own blogs; this may also explain the low number of active and passive blog users (Slovenia was ranked 27th among 31 European countries).

Nevertheless, the RIS survey of 2010 showed that the proportion of active blogs in Slovenia had been growing faster than the proportion of passive blog users since 2008. No less than 13 percent of Slovenian internet users had their own blog in 2009. The same research conducted a year later⁹⁸ on a representative sample of respondents aged 10–83 (n = 1,143), revealed that 60 percent of respondents owned a profile on at least one of the social networks. The majority of them were younger people, mostly aged between 16 and 25 years (75 percent), women (63 percent of women, compared with 57 percent of men), residents of towns with more than 2,000 inhabitants, and medium-educated (72 percent)—the latter mostly due to the fact that one of the largest groups of social networks users belongs to the student population.

The web researcher Petra Oseli summarized generational differences in internet consumption:

Children of the digital world are getting more and more information on the internet, where YouTube is one of their main sources and Facebook is the focal point for contacts with friends. Email is too slow for younger generations, and that is why it is being replaced by mobile communication (text messages) or communication via social networks, currently Facebook in the first place, while the urban, educated population, on the other hand, has literally adopted Twitter.⁹⁹

3.2 Digital Activism

3.2.1 Digital Platforms and Civil Society Activism

One of the most successful civil society actions, also communicated via social networks, was the environmental initiative “Očistimo Slovenijo v enem dnevu!” (Let’s Clean Slovenia In One Day!, OSVED!),¹⁰⁰ launched in 2010 by the environmental organization Ecologists Without Borders (*Ekologi brez meja*).¹⁰¹ The goal—which was not promoted exclusively via social networks but broke through to the mainstream media and gained substantial practical and financial support from public institutions, local communities, and civil organizations—was to remove 20,000 tons of waste from illegal dumps in one day (17 April 2010) with the help of at least 200,000 volunteers.

98. “Socialna omrežja 2011” (Social Networks 2011), research conducted by the RIS project within the Center for Methodology and Informatics of the Faculty of Social Sciences, University of Ljubljana. See http://www.ris.org/db/13/12076/RIS%20poro%C4%8Dila/Socialna_omrežja_2011/?&p1=276&p2=285&p3=1318 (accessed 12 February 2012).

99. Oseli, “Analiza digitalnega okolja.”

100. See the initiative’s website at <http://www.ocistimo.si/O-projektu.aspx> (accessed 20 May 2011).

101. The initiative was a Slovenian version of the project *Teeme ära!*, carried out in Finland in 2008.

The initiative was first communicated via email lists, and the organizers expected to recruit a few hundred people at best, as the first 14,000 emails resulted in no more than 16 replies. Only when they saw the rapid growth of supporters on Facebook¹⁰² did they realize that the initiative's mobilizing potential was much greater. The action, which mobilized 270,000 people, who collected 12,000 tons of waste from 7,000 illegal deposits all over Slovenia, is deemed the largest civil society initiative in the history of independent Slovenia. Its importance was recognized also at the highest state level, as the Slovenian President Danilo Türk awarded the Order of Merit to Ecologists Without Borders.¹⁰³

The initiative later developed into ongoing monitoring and registering of illegal dumps, via the internet or mobile phone applications, offering an easy way to report such locations discovered in Slovenia.¹⁰⁴ Currently there are more than 13,000 illegal dumps in the register, along with photo evidence, GPS coordinates, and other information on their location.

Besides these successful environmental initiatives, there are a number of other actions, groups, and networks for or against different political projects, reforms, or statements, on digital platforms, as well as certain politicians, political parties, and the government in general.

Another example of such mobilizations was the action of the so-called “sweatpants people” (*trenirkarji*) in Ljubljana just after the election in which the most successful party was the newly established center-left Positive Slovenia (*Pozitivna Slovenija*), run by the former Ljubljana mayor Zoran Janković (who was born in Serbia). The runner-up was the largest center-right party SDS. A few days after the elections a text appeared on SDS's website, a comment by an unknown person signed Tomaž Majer, who claimed that people who voted for Mr Janković were people wearing sweatpants, alluding to people from former Yugoslavia. Many people saw the text (it quickly turned out that the author's name was most probably a pseudonym—a fact that caused even more controversy) as defamatory, nationalistic, offensive, or absurd.¹⁰⁵ To some, it was even an example of hate speech and a Facebook group was immediately organized—“Trenirkadan—dan novih državljanov” (Sweatpantday—The Day of the New Citizens)—calling for a gathering of all “sweatpants people” in Ljubljana on 12 December 2011. The main square of Ljubljana was the meeting place for people wearing sweatpants, and the media were full of well-known Slovenes (and not just those with roots in former Yugoslavia) who claimed they like to wear sweatpants or even appeared in sweatpants on public events or on screen. Among the many articles in newspapers and magazines analyzing the case there was also a column written by a well-known professor of psychology, Renata Salecl.¹⁰⁶

102. See <http://www.facebook.com/group.php?gid=194994770941> (accessed 24 May 2011).

103. See the interview with the founders of the initiative in A. Žerdin and B. Mazi, “Potrebujemo čistilno akcijo v naših glavah” (We need a cleaning action in our heads), *Dnevnik*, 17 April 2011. See http://www.dnevnik.si/tiskane_izdaje/dnevnik/1042352935 (accessed 21 May 2011).

104. See <http://ebm.si/p/register/index.htm> (accessed 24 May 2011).

105. See, for example, comments on the text at <http://file.si/pfiles/215885/spis.jpg> (accessed 20 December 2011).

106. R. Salecl, “Legoman v trenirki” (Legoman in Sweatpants), *Delo*, 18 December 2011. See <http://www.delo.si/mnenja/komentarji/legoman-v-trenirki.html> (accessed 16 May 2012).

An example of a less effective mobilization initiative, despite quite good online support, has been the public call by six eminent politicians and economists (four of whom were former ministers in the last two governments, but did not belong to the same political grouping), called “Gremo na volitve” (Let’s Go to the Elections). It was published exclusively online on 10 June 2011, and called for immediate parliamentary elections. By July 2011, the site had more than 100,000 visitors and been shared 604 times on Facebook. More than 17,000 supporters have co-signed this call for early elections, but these figures have been rather low even for a small nation like Slovenia, and the organizers did not achieve their aim of encouraging the call for immediate elections.¹⁰⁷

However, the movement later developed into a new political party, List of Citizens by Gregor Virant (*Državljska lista Gregorja Viranta*). Most of the key politicians and economists mentioned above established the party in October 2011, just before the parliamentary elections that were held at the beginning of December 2011. The new party was successful in the elections, winning 8.6 percent of the vote and eight of 90 parliamentary seats. The president of the party, Gregor Virant, was elected President of the Parliament. However, since most of these politicians and economists had been present and active in the Slovenian political arena for a number of years, it is difficult to claim that they represent a case of successful civil society mobilization in its pure form.

3.2.2 The Importance of Digital Mobilizations

As discussed above, online mobilizations may be relevant to all of society. However, their success depends not only on the online tools they use, but also on their aims and the organizers’ reputation.

The success of OSVED! can also be partly attributed to the previous achievements of its initiators and to the fact that the idea was appealing enough to the mainstream media, which played an important role in making the initiative familiar to the larger public. The failure of the initiative to call immediate parliamentary elections, on the other hand, might be explained by the fact that the initiative did not come from representatives of civil society, but from politicians. Another possible reason is the relative apathy of Slovenian voters toward politics; polls at that time showed half of voters did not know whom to support in the event of an election, or thought that they would not even vote.¹⁰⁸

More important, although smaller, cases of digital mobilization happened before and after the December 2011 parliamentary election. The 2011 election was the first major event that demonstrated the potential and power of digital media: on the one hand, most of the major parties and politicians consistently used new media, especially Facebook and Twitter, to persuade voters and to comment on developments. On the other hand, citizens and civil society used these same tools to communicate and also to react to political developments.

107. See <http://www.gremonavolitve.si/> (accessed 16 May 2012).

108. See, for example, the April 2011 poll by the Faculty for the Applied Social Sciences, University of Ljubljana, at http://www.siol.net/slovenija/novice/2011/04/anketa_podpora_volvcev.aspx (accessed 15 July 2011); or the polls commissioned by *Delo* in April, May, and June 2011, at http://www.delo.si/novice/politika/anketa-dela-nezadovoljstvo-s-strankami_2.html (accessed 15 July 2011).

3.3 Assessments

While digitization has increased the availability of news content, not many new news providers were introduced with digitization and the range of news and news production has not widened significantly. The internet has increased the availability of the existing media and news content within these media in the first place, as people with internet access can easily check, read, and watch news content from a number of media outlets. In this respect, social networks are also becoming increasingly important, as they play a part in spreading the news through posts on their sites.

Although access to new media is widely available in Slovenia and although social media and networks are as popular as in many countries in western Europe, this popularity for a long time did not result in a significant increase in civil and political activism, especially on the internet and other digital platforms. This changed significantly only in 2011.

There are more and more cases of “viral” political marketing, use of new platforms for political communication, and the increasing importance of social networks for communication within society as a whole. However, there has not been an important mass political or civil movement that could be seen as a direct consequence of the possibilities offered by new media. The civil actions that took place were mostly limited to one-off events, such as OSVED! and Trenirkadan, but there has been limited continuation of such projects or a continuous run of different initiatives or events. Thus the mobilization effect of new media has had a very limited scope, lacking key elements such as continuity in order to fulfill the conditions to be called a movement or a relevant social actor. The new media, particularly social media, are, however, becoming increasingly important as a channel of immediate communication between citizens and of immediate (often critical) reactions to political developments, offering citizens and civil society an instant way of expressing themselves and of also efficiently influencing the media agenda and thus the political agenda as well.

4. Digital Media and Journalism

4.1 Impact on Journalists and Newsrooms

4.1.1 Journalists

The main technological change in the work of journalists over the past five years is the general increasing multimedia aspect of communication. This influences journalists' work by requiring multiple media skills to carry out their jobs and to adapt to new forms of the functioning of the media as a whole, where previous concepts of writing, producing, editing, and publishing for specific types of media were related to specific deadlines and organizational structures. Due to technological changes, the work is much more fluid; in addition, the internet intensifies the time pressure.

While media websites in the 1990s offered mostly text, reflecting the internet's limitations and slowness, but also old concepts,¹⁰⁹ media websites in the last five years have offered increasing multimedia content, as mentioned earlier, with in-house video production and television studios at newspapers. The content of websites and other new media platforms is not just a reproduction of existing content from the outlet's main media, as it was before, when most of the online activities were done by a handful of people working as a team, who had been initially employed for other jobs.¹¹⁰

Today, there is some new content produced for these new platforms. However, because online departments have still not made a profit, media companies hire mostly young journalists, generally under 27 years old who have less than four years of journalism experience.¹¹¹ On the positive side, characteristics of online communication, such as hypertextuality, interactivity, and multi-mediality, are being more actively implemented into the online news production process.

109. The first online version of the daily newspaper *Delo* was called Delo Fax and offered literally some text from the print version, prepared in a fax shape, thus lacking any interactivity or multi-mediality, but also no specific new content.

110. T. Oblak and G. Petrič, *Splet kot medij in mediji na spletu* (Online as medium and media on line), Založba FDV, Ljubljana, 2005.

111. I. Vobič, "Medosebna interaktivnost—redkost v slovenskem spletnem novinarstvu" (Interpersonal interactivity—a rarity in Slovenian online journalism), *Medijska preža*, December 2008. See <http://mediawatch.mirovni-institut.si/bilten/seznam/33/splet/> (accessed 7 October 2009).

Online teams at traditional media organizations still mainly reproduce news content from in-house print or broadcast sources or from other media and press agencies. A large part of this new content is thus actually comprised of repackaged agency material, main in-house production, and frequently also repackaged content from other websites, mostly foreign, especially for tabloid and entertainment stories. Even more problematic from the content perspective is that some online sites of print media publish more or less the same amount and type of information the day before it is published in the printed version, decreasing the attractiveness of the purchase of the printed newspaper.

Another important change of recent years is the establishing of integrated newsrooms. In 2008, the newspaper companies Žurnal Media, Delo, and Dnevnik started to integrate their newsrooms. Among the main problems encountered, for example at *Delo*, were the following:

- journalists' apprehension about greater workloads for the same compensation (writing not just for print but also for the online version);
- journalists' reluctance to work for new media (internet)—most journalists feared giving up traditional, “superior” journalism and devoting time instead to “inferior” online journalism (with concerns about “churnalism,”¹¹² for example).¹¹³

Within the Slovenian journalistic community, there is an increasing split between younger and older journalists, in terms of jobs, work cultures, and skills. Younger journalists tend to have almost no job security,¹¹⁴ often working without contracts and often receiving less than €600 (US\$761) net per month for fulltime work, which is substantially less than the average income, as the average national net salary reached €1,054 (US\$1,336) net in November 2011.¹¹⁵ The low social status of online journalists reflects, at least to a degree, a lack of financial and economic success of online departments in traditional media companies; online or new media departments of the Slovenian media are more likely to hire younger journalists. Since these online departments do not bring in profits, however, this reflects also the inferior position of these departments within the companies as a whole. At the same time, this negatively influences the standing of online journalists and other staff within the company hierarchy and within the journalistic community.

Their lower position within the journalistic hierarchy is also due to the nature of work within online departments, as most online journalists and producers do not have the opportunity to produce original news content but mostly repackage the content from elsewhere.¹¹⁶

112. The term “churnalism” was coined by the British journalist Nick Davies in his book *Flat Earth News*, Chatto & Windus, London, 2008.

113. Interview with the former Editor-in-chief of *Delo*, Darijan Košir, 20 January 2011.

114. In 2008, half of about 120 online journalists had fixed-term contracts; more than a third of them were students and slightly more than 10 percent had regular and open-ended employment. See I. Vobič, “Medosebna interaktivnost—redkost v slovenskem spletnem novinarstvu,” *Medijska preža*, December 2008, available at <http://mediawatch.mirovni-institut.si/bilten/seznam/33/splet/> (accessed 7 January 2011). This means that a large majority of Slovenian online journalists are what the International Federation of Journalists (IFJ) regard as “atypical media workers.” See “Survey and Case Study of Atypical Work in the Media Industry,” International Federation of Journalists, 1 June 2006, available at <http://www.ifj.org/en/articles/survey-and-case-study-of-atypical-work-in-the-media-industry> (accessed 7 January 2011).

115. See Slovenian government statistics at http://www.stat.si/novica_prikazi.aspx?id=4048 (accessed 29 January 2012).

116. T. Oblak Črnič, “Spletno novinarstvo skozi optiko novinarjev” (Online journalism through the eyes of journalists), *Družboslovne razprave*, Vol. 23(54) (2007), pp. 43–64. See <http://druzboslovnerezprave.org/clanek/2007/54/3/> (accessed 16 May 2012).

The main consequence of digitization for the work of journalists thus seems to be the implementation of newsroom convergence and multimedia skills in journalism. These changes have caused some friction among journalists and increased deadline and workload pressures. The changes can be seen in the organization structure as well: the public broadcaster RTV SLO, for example, diminished the independence of its Multimedia Center by erasing the position of its special editor; on the other hand, the main commercial broadcaster is increasing the role of digital and especially social media by being the first Slovenian media outlet to appoint a social media editor, in October 2011.

Due to the increasing pressure of timeliness, continuous coverage and multimedia skills, and preparing reports for a number of platforms, the media, especially their online platforms, face increasing problems with accuracy. There are numerous cases of wrong translations (from press agencies and foreign media), “copy-and-paste” journalism, and increasing reliance on press releases and other packaged material. It remains to be seen how these problems will reflect on the credibility of the media in the long run.

4.1.2 Ethics

Superficially, digitization seems to have had no particular consequences for the ethical behavior of journalists. There have been no special cases of breaches of privacy or data theft that would be a consequence of digitization. However, digitization influences and increases the tempo of journalistic work and increases the workload, especially through the expected multimedia nature of journalistic production. By leaving journalists with less time for fact-checking and quality writing and production, digitization contributes to lowering the level of professional and ethical performance.

The changes in the media technologies and news production, including the increased amount of work in some media, cause stress and can in the long term also cause problems regarding fact checking, diversity of sources, and other professional and ethical problems. This seems to be the problem on many news sites: one example is the website Pozareport.si, where, for example, some news reports or photographs were withdrawn and erased without explanation.¹¹⁷

4.2 Investigative Journalism

4.2.1 Opportunities

The impact of digitization on investigative journalism is not significant, partly because investigative journalism plays no part in most media outlets. Only a few media companies have larger newsrooms. Even the largest commercial broadcaster employs a relatively small number of journalists (21 in January 2011). This means that pressure for constant news production leaves very little time for in-depth research that is the basis of true

117. See, for example, a story with photographs about a local television editor, published on 13 March 2011 in the morning and removed a few hours later without explanation. It was published at <http://www.pozareport.si/?Id=necenzurirano&View=novica&novicaID=16913&type=tags> (accessed 13 March 2011).

investigative journalism. Journalists are not given time to investigate a topic thoroughly, and are often forced to publish documents and new information immediately.

On the other hand, by enabling access to online databases and faster access to more documents than ever before, particularly public records, digitization has offered specific benefits to investigative journalism. Journalists are often able to see documents that previously took weeks or months to obtain.

4.2.2 Threats

There were no official or recorded cases of data theft or blocked content in the media in the last five years. It is difficult to measure self-censorship as a result of political pressure or security threats. Journalists interviewed report that the main reason for self-censorship was economic pressure resulting from the economic crisis and the decrease of advertising income. With fewer advertisers remaining, journalists feel compelled to avoid offending existing or potential ones. This has also contributed to the blending of journalism and public relations content in a number of media.

A negative consequence of digitization for investigative journalism, resulting from the multimedia demands of most outlets, means that the same or smaller teams of journalists have to produce content for several platforms and do it faster (see previous section).

4.2.3 New Platforms

Most blogs are devoted to personal topics and comments and do not publish investigative content. Some of the most widely read blogs are written and produced by well-known individuals who are either celebrities or famous for other activities. Most of these blogs deal with entertainment, personal affairs and life, technology, and similar topics.

Among blogs and new media that publish journalistic content, Pozareport.si is the most popular. It is the 34th most popular website in Slovenia and is produced mostly by one man, Bojan Požar, a former tabloid journalist and editor, famous for a number of controversial stories. A number of these stories ended in court cases or out-of-court settlements. After a number of failed magazine and daily newspaper ventures, Mr Požar moved online and began publishing Pozareport.si as a mixture of blog and website in 2007, financed through advertising and some paid-for content. Since then he has published a number of well-known and controversial stories, leading also to follow-up stories in other media, including daily press and television.

Another prominent website with journalism content in recent years was Vest.si, a website started by Jani Sever, the former editor of a weekly political magazine *Mladina*. The website was mostly video-oriented, with some news and comments. It had very little investigative or in-depth reporting. However, advertising losses and the owner's pursuit of other interests meant the website's content shrank and with that also the number of visitors and its popularity.¹¹⁸ The website was closed in 2011. There are also several smaller websites,

118. L.J. Kučić, "Ko Vest obmolkne" (When Vest goes quiet), *Delo*, 11 June 2011. See <http://www.delo.si/zgodbe/sobotnapriloga/ko-vest-obmolkne.html> (accessed 4 July 2011).

functioning on the local level, such as Primorska.info and Sobotainfo.com, which provide general content on different topics, but with a local emphasis.

4.2.4 Dissemination and Impact

As mentioned earlier, digitization offers a number of opportunities to disseminate content in new ways to new audiences. However, this is mostly happening with general media online; their websites, available free, now reach a new audience. This is the audience which previously either bought only one newspaper or did not follow newspapers at all. This audience now has access to a number of news websites which offer many sources, and many versions or aspects of the same story. However, this new way of distribution did not particularly help the dissemination of investigative journalism, as there was no accompanying increase in investigative journalism.

4.3 Social and Cultural Diversity

4.3.1 Sensitive Issues

In terms of social and cultural diversity, the most sensitive issues in Slovenia are topics related to ethnic, religious, and sexual minorities, and to immigrants, especially those from the territory of the former Yugoslavia. Interwoven with political and ideological motives, these subjects are permanently at the forefront of political and media discourse.

Despite its history as one of the six republics of the Yugoslavian federation, resulting in thousands of immigrants from other parts of the former common country, Slovenia's constitution recognizes only two ethnic-minority communities: the Italian and the Hungarian autochthonous national communities. Besides that, the Roma community is entitled to a certain level of protection, while national minority groups originating from former Yugoslav republics, although more numerous, do not enjoy any legally protected collective rights.

Nevertheless, in November 2010, the government made an effort to give the ethnic groups from the former Yugoslavia greater recognition by submitting to Parliament a draft Declaration on New Minorities.¹¹⁹ The Declaration, adopted on 18 December 2010, foresaw the establishment of a Council to advise the government on these groups' common issues. The council was constituted in June 2011, but its future operation is in question due to severe cost reductions entailed by the government's measures for tackling the economic crisis.

Until recently, the most sensitive issue concerning people from other parts of the former Yugoslavia was the situation of former permanent residents of Slovenia, around 25,000 of whom were removed from the register

119. U. Škerl Kramberger, "V parlamentu deklaracija o novih manjšinah" (Declaration on New Minorities in Parliament), *Dnevnik*, 19 November 2010. See <http://www.dnevnik.si/novice/slovenija/1042404097> (accessed 19 March 2011).

of permanent residents after the disintegration of Yugoslavia.¹²⁰ After almost two decades, the problem was solved when these individuals were granted residence permits or Slovenian citizenship, and the issue gradually disappeared from the media agenda. However, it reappeared in the summer of 2012 when the European Court for Human Rights in Strasbourg decided that Slovenia had breached three articles of the Human Rights Chapter. A new debate about the “the erased” started, including a heated debate online and on Twitter, including tweets and statements from many politicians.

The efforts of the Muslim religious community to build a mosque in Ljubljana are also a constant source of community friction and political fights, making this a sensitive media issue. Some political parties use this case to gain voter support by framing the issue in predominantly populist and nationalist terms.

This is also true for media reporting on sexual minorities, reinforcing clichés and stereotypes, and in the case of online media generating dozens of homophobic comments. This was demonstrated in the public debate on the Family Law Bill, first presented to the public in 2009. The bill, which among other things proposed to recognize same-sex unions and to ban the corporal punishment of children, has faced strong opposition among right-wing politicians and fierce reactions from the public. But, despite that, it was passed on the first reading in 2010. Anja Kopač Mrak, the State Secretary of the Labor, Family and Social Affairs Ministry, said in 2009 that the ministry had received no convincing expert arguments against giving same-sex unions the same status as other partnerships, and no expert arguments that such solutions would harm children’s welfare.¹²¹

Pressures from opponents of giving same-sex couples the same rights as traditional families and their persistent requests to withdraw the provisions allowing gay marriage and the adoption of children by gay couples, however, resulted in the government’s willingness to find a compromise and mitigate the most controversial provisions to some extent. This, at the beginning of 2011, reopened the space for hate speech against gay people and intolerance toward people with different views, both in political and media discourse.

In the media, homophobic language has been mostly used in anonymous comments appended to online news; however, due to live coverage of the main parliamentary meetings and discussions on the public service broadcaster’s parliamentary channel SLO 3, viewers have been exposed to hours of homophobic arguments from the deputies. When one of the meetings of the Parliamentary Committee on Labor, Family and Social Affairs could not be broadcast, opponents of the Family Law Bill did not take that well. Although the Chairperson of the Committee, Andreja Černak Meglič, explained that live coverage was not possible because the meeting room with broadcasting facilities was occupied by another parliamentary body, the leader of the

120. The then government deprived these people of their Slovenian identity documents and of their rights as residents. Many had no other documents and were unable to obtain them from the countries of their birth as they could not travel (lacking passports), and some of these countries were anyway at war. Many children from mixed marriages were affected; although they were born in Slovenia and had a Slovenian parent (usually the mother), they were treated as non-citizens, due to the practice in former Yugoslavia of registering children in the father’s home town, regardless of their birth place.

121. “Family Law Bill Headed for Govt Approval,” *STA*, 30 November 2009. See <http://www.sta.si/en/vest.php?s=a&id=1454321> (accessed 19 March 2011).

Civil Initiative for Family and Children Rights (*Civilna iniciativa za družino in pravice otrok*), Aleš Primc, described the move of the meeting into another room as “systematic television censorship of the Committee.” Mr Meglič, on the other hand, stressed that there was enough hate speech spreading within Parliament and elsewhere, and reaffirmed that the Family Law Bill was a step in the right direction.¹²² In the end, the bill was rejected in a referendum in 2011.

4.3.2 Coverage of Sensitive Issues

The public service broadcaster RTV SLO and the local/regional broadcasters with the “status of special significance”¹²³ have legal obligations on the representation of the culture and identity of minorities, especially ethnic communities, religious groups, and disabled people. These requirements are stipulated in the Mass Media Act and are not necessarily included in their licenses.

According to the Mass Media Act, broadcasters registered in Slovenia must broadcast in Slovenian or should translate their programs into Slovenian, either via subtitling or by speech synchronization, unless their programs are primarily intended for listeners or viewers from another language group. However, when a television channel or radio station is primarily targeted at the Hungarian or Italian minority, it is encouraged to broadcast in the language of the relevant community and is released from the obligation to include a minimum 20 percent share of music of Slovenian origin in its daily music broadcast.

Among all Slovenian broadcasters, RTV SLO has the greatest responsibility for ensuring content that caters to ethnic, social, religious, and other minorities, and in the setting of standards for their fair representation in electronic media. For the Italian ethnic community, RTV SLO broadcasts both a television channel and a radio station in Italian (Radio Capodistria and TV Capodistria); for the Hungarian minority, it provides a radio station in Hungarian (Muravidek Magyar Radio) and a weekly television program (“*Mostovi/Hidak*”), included in the regular program schedule of SLO 1, the most watched public service channel.

Conflicts among the Slovenian and Roma inhabitants in the village of Ambrus (35 km southeast of Ljubljana) in 2006 underlined the need for better representation of the Roma community in the media. RTV SLO launched a project of training Roma professionals to produce their own program and started to broadcast a program for the Roma communities in 2007 within the regular program schedule of the television channel SLO 1 and the radio channel First Channel, both with national coverage.

In 2008, a Roma radio station acquired the right to use an FM radio frequency in the northeastern part of Slovenia with a large Roma community, the Prekmurje region. Radio Romic, the first radio station run and edited by the Roma people, broadcasts on 97.6 MHz and is also distributed via cable networks and

122. “Družinski zakonik: Primc koaliciji očita kompromisno prevaro, SD pa njemu sovražni govor” (Family Law Bill: Primc claims that coalition cheated on a compromise, while SD criticizes him for hate speech), *Dnevnik*, 18 March 2011. See <http://dnevnik.si/novice/slovenija/1042431780> (accessed 19 March 2011).

123. Broadcasters with the status of special significance are usually small, privately owned television channels or radio stations entitled to additional benefits in return for more strict and demanding content requirements.

on the internet (Romic.si). Besides that, on the local level there are also some weekly Roma radio and television programs, produced and broadcast by local broadcasters with the status of special significance (i.e. regular magazines on the radio channel Murski Val and on the television channel Vaš kanal). These programs and services are subsidized through public funds. The Government Office for National Minorities finances Radio Romic, while others acquire funds for specialized programs mostly through tenders of other public institutions and ministries, especially the Media Pluralism Fund, managed by the Ministry of Education, Science, Culture, and Sport.

An effort to mandate RTV SLO to also produce content for members of ethnic groups from the territory of the former Yugoslavia failed; the Law on RTV SLO, which stipulated this provision, was rejected in a referendum, held on 12 December 2010. Consequently, it was impossible to make any changes to the provisions on the public broadcaster's remit or in any other aspect covered by the rejected act for a certain amount of time. That restriction, which was in power until the beginning of 2012, among other things impeded the development of new services under the umbrella of RTV SLO.

Research has shown that coverage of ethnic communities for a majority population audience by the mainstream media is most often limited to specific issues, problems, and controversial topics. For instance, when speaking of Roma people, the media often refer to them as the "Roma question," the "Roma issue," or the "Roma problem." Their problems attract media attention only when they grow into a conflict that can affect the majority population. As the Roma people are rarely portrayed as individuals and are most often covered only in relation to criminal acts and shown as a lazy population, prone to deviant behavior that endangers the majority population, the media representations support the dichotomy between "good" Slovenians and "bad" Roma people.¹²⁴

The mainstream media also provide only a limited scope of themes and perspectives in relation to other ethnic communities. Commercial media provide little dedicated coverage of ethnic communities and there are basically no journalists who would cover these topics as their beat. There are no dedicated programs on commercial channels for ethnic communities and, with the exception of the public broadcaster's channels and programs, minorities get very little regular coverage by the mainstream media for the majority population.

4.3.3 Space for Public Expression

With digitization, opportunities for public expression of social and cultural minorities increased to a certain extent. In a technical sense, many new platforms arose, and the transition to DTT enabled the minority channels produced by RTV SLO to extend their range of coverage. However, it is still not possible to say that these improved technical possibilities are reflected in significantly better quality or quantity of new programs or services.

124. K. Erjavec, S.B. Hrvatin, and B. Kelbl, *Mi o Romih (We about the Roma)*, Mirovni inštitut, Ljubljana, 2000.

4.4 Political Diversity

4.4.1 Elections and Political Coverage

The only law regulating media coverage of politics is the Elections and Referendum Campaign Act (hereafter, the Elections Act),¹²⁵ and it applies only for the duration of the official campaign.¹²⁶ Unlike in some other European countries,¹²⁷ Slovenian media regulators do not monitor the amount of time the broadcasters dedicate to different stakeholders in politics (government and opposition, parliamentary and non-parliamentary parties, civil society, NGOs, etc.). In the media legislation, there is no definition of political advertising as such, and there is only a vague legal provision stipulating the commitment to unbiased reporting as one of the selection criteria on public tenders for radio frequencies, but there are no sanctions for politically biased reporting.

The Elections Act was adopted in 1994 and amended twice, in 1997 and 2007. The last amendments complemented the definition of an election campaign, which now also applies to all proceedings related to a referendum. The terminology used in the act was harmonized with media legislation. Besides the election campaign coverage, the monitoring was extended to possible violations in electronic publications (i.e. the internet) and through telecoms services (i.e. SMS and MMS).

These changes have not affected the overall diversity of political communication. This can be attributed to the fact that the model of regulation of media coverage of elections has not been substantially changed, but merely extended to media coverage of referenda and to coverage of elections and referenda on new media and telecoms services.

It can be said that despite the regulatory changes aimed at implementing the same regulatory model for both “traditional” and “new” media, digitization, affected the coverage of elections by making it possible to publish the results of election polls even in the last week of the election campaign, when according to the Elections Act the media are not allowed to do so. Art. 5, Paragraph 2 stipulates that publishing the results of polls on candidates, lists, parties, or referendum questions seven days before the voting day is not permitted. The provision, however, applies only to media outlets, so the ban can be circumvented by publishing the results of polls on websites that do not match the definition of media.

During the previous parliamentary (2008) and local elections (2010) some media (i.e. the daily newspaper *Dnevnik* and a current affairs weekly *Mladina*), in cooperation with research companies or third partners, avoided sanctions by revealing only the information on where to find the results of the poll (usually via a web link). The research companies published the results of the election polls, which were commissioned by *Dnevnik* and *Mladina*, instead of their media clients. This practice was also widely used by most news media during the last early parliamentary election, in December 2011.

125. The act can be downloaded at http://www.mju.gov.si/fileadmin/mju.gov.si/pageuploads/mju_dokumenti/doc/ZVRK_eng.doc (accessed 16 May 2012).

126. According to the act, the election campaign may start no sooner than 30 days before voting day and must end no later than 24 hours before voting day.

127. For instance, Spain (Catalonia), France, and Romania.

4.4.2 Digital Political Communications

Digital media enabled new patterns of communication for political parties. The parties, both governmental and non-governmental, set up websites, which are regularly updated and serve as one of their most important means of communicating with the public. This is more likely a result of the messages and opinions from the partisan websites being repeated in the media than of these websites' actual popularity. During the parliamentary election year of 2008, studies showed that 68 percent of web users in Slovenia had never visited a political party website.¹²⁸

In the meantime, Dr. Žiga Turk became Prime Minister Janša's Minister for Education, Science, Culture and Sport. He continues to tweet, including about his or government's new decisions, often even before they have been announced. His tweet about the government's decision to reduce the license fee for the public broadcaster provoked a lot of media attention and criticism.

In a web article on the power of new technologies, the media scholar Sandra Bašić Hrvatin in 2011 pointed out the passivity of the Slovenian media in relation to new means of political communication: "The fact that media don't have an active policy to respond to the new technology is alarming. The media should take on the task of explaining what is happening. Instead of that, they follow what politicians say and use web sites of political parties as their sources of information. This has nothing to do with journalism."¹²⁹

Political parties started to use social networks in their effort to reach potential voters during the last presidential election campaign, in 2007, and the parliamentary election campaign in 2008. Many Slovenian politicians have their profiles on Facebook, several write blogs, and some of them use Twitter. One of the parties, the Social Democrats, went even further and established an online social community called Red Book (Redbook.si). In its early period of operation, its creator, a web strategist called Vuk Čosić, said Red Book was a sort of materialization of e-participation.¹³⁰ According to data from January 2012,¹³¹ published on Redbook.si, the community has 2,583 registered users and 302 groups. Blogs are also posted on Redbook.si. At time of writing, there were more than 3,000, but they do not fully meet the definition, as they are in fact more or less random posts of various users.

The active deployment of social network tools in Slovenian politics has long been limited to pre-election periods and election campaigns, but the awareness of their importance and potential is growing. "Twitter is not a very serious medium, on which a person would publish press releases," admitted Žiga Turk, a minister in one of the previous right-wing governments (2004–2008) and the one established in early 2012, and also

128. K. Jakopič, "Volivci v mreži spletnih skupnosti" (Voters in the net of online communities), *Medijska preža*, December 2008 (hereafter, K. Jakopič, "Volivci v mreži spletnih skupnosti"). See <http://mediawatch.mirovni-institut.si/bilten/seznam/33/splet/> (accessed 6 March 2011).

129. A. Svenšek, "Facebook in Twitter sta le sredstvo, revolucije se dogajajo na ulicah" (Facebook and Twitter are only the means, the revolutions are happening in the streets). See <http://www.rtvlo.si/slovenija/facebook-in-twitter-sta-le-sredstvo-revolucije-se-dogajajo-na-ulicah/252462> (accessed 8 March 2011) (hereafter, Svenšek, "Facebook in Twitter").

130. K. Jakopič, "Volivci v mreži spletnih skupnosti."

131. See <http://www.redbook.si/> (accessed 31 January 2012).

one of the most active bloggers and Twitter users among the Slovenian politicians, after his ambiguous post triggered speculation that he was leaving the party in February 2011.¹³² Mr Turk stressed that he was like other “ordinary” Twitter users: “Citizen Turk writes about things that go through his head. He recommends a book if there is anything interesting to read. And reads what others write. He joins the debate. All this is done by Žiga Turk, who is many other things before he is a politician.”¹³³

On the other hand, the Minister of Justice in the left-wing government of 2008–2011 and an active Twitter user, Aleš Zalar, revealed a clear connection between his Tweeting and his engagement in politics. He clarified that he had been using social networking tools to stay in contact with citizens during his term of office, to follow their opinions and perceptions of political reality, and to share his views at any time, including at night and during the weekend, if a certain topic required his reaction.¹³⁴

Moving from social networking and microblogging to traditional media, there were also developments with a certain impact on political communication. Namely, the transition to DTT has made possible the nationwide coverage of the third national public television channel, commonly known as the parliamentary channel, which was introduced as a new public service obligation on RTV SLO by the Law on RTV SLO (2005).

Due to the lack of adequate radio frequencies, which prevented its proponents from meeting their objectives in the planned timeframe, the parliamentary channel, officially called SLO 3, started to broadcast only in March 2008, first on cable and IPTV and, after the first national multiplex began operation, also on the DTT platform. Its initially marginal position, low reach, and ratings were improved with the switch-off of analog terrestrial television. Since its introduction, SLO 3 has managed to develop into a mixture of news, current affairs, and documentaries, offering viewers a chance to follow also the performance of those members of Parliament who usually receive less attention from the mainstream media.

4.5 Assessments

It seems true that digitization brings opportunities as well as dangers, as Goran Novkovič, former CEO of Žurnal Media, says: “Convergence is a fact. If we don’t follow this path, our media will lag even more behind the global media. Convergence can be an additional burden for work and reporting, if those in charge of leading don’t understand well what it means in practice; however, it is also a great opportunity for the better functioning of journalists and editors.”¹³⁵

132. K. Škrinjar, “Ko gre človeku skozi glavo kritika SDS” (When criticism from SDS goes through someone’s head), *Delo*, 25 February 2011. See <http://www.delo.si/clanek/141743> (accessed 6 March 2011).

133. Svenšek, “Facebook in Twitter.” (Facebook and Twitter are only the means, the revolutions are happening in the streets). See <http://www.rtv slo.si/slovenija/facebook-in-twitter-sta-le-sredstvo-revolucije-se-dogajajo-na-ulicah/252462> (accessed 8 March 2011).

134. Svenšek, “Facebook in Twitter.” (Facebook and Twitter are only the means, the revolutions are happening in the streets). See <http://www.rtv slo.si/slovenija/facebook-in-twitter-sta-le-sredstvo-revolucije-se-dogajajo-na-ulicah/252462> (accessed 8 March 2011).

135. Interview with Goran Novkovič, CEO of Žurnal Media, 17 January 2011.

Digitization has affected the work of journalists probably in a similar way to most of the world, leading to changes in the nature of the media themselves (blurring the divisions between print, radio, and television), changes in journalistic production (expected multimedia skills from journalists, especially younger ones, but also bringing the need for additional professional development for older journalists), and changes in the pace of production (increasing emphasis on timeliness leading to additional problems quality and accuracy).

The expected multimedia skills also bring into question the division of work that used to exist within journalists' ranks in previous decades, where the specialization of media and the increasing complexity of the world brought the need for the specialization of journalists themselves. Today, digitization on one hand and the economic crisis with accompanying financial cuts on the other result in a decrease of specialization and put pressure on journalists (and editors) to provide all sorts of content for all sorts of platforms on all sorts of topics. This can devalue the quality, complexity, and accuracy of news reporting, especially in media outlets with smaller newsrooms and staff.

As already mentioned, digitization has not really affected investigative journalism, as there are only traces of investigative journalism in the Slovenian media. It is hard to speak of specialized investigative journalists or investigative teams, working weeks or months on a single story or going undercover, using specialized investigative methods and producing special investigative content. This does not mean that Slovenian journalists do not use investigative techniques and methods or perform their watchdog role; however, it is not a full-time specialized function. Therefore digitization helps journalists have better and easier access to certain sources, particularly different government or official databases on ownership, contracts, and transactions; digitization also ensures faster communication and publication. But it does not lead to an increase in investigative journalism in itself.

New forms of digital communication also pose a new set of questions about politicians and their private and official statements or thoughts. An increasing number of politicians, both ministers in the government and members of Parliament, use Twitter and other forms of online communication in a wide variety of ways, including addressing numerous political issues. This leaves journalists and the public increasingly wondering whether this is an official position of a certain institution or party, or spin, or is it just an individual politician expressing his or her private opinion (often not in a very diplomatic and thoughtful way). Quite often, politicians claim they expressed private views in this way. But it was clear that the line between this supposedly private position and an official position (often not even formulated at that time) overlapped or the official position later turned out to be just a slightly more diplomatically formulated version of the private position, expressed via Twitter or other forms. As more new ways of expression develop, this line between private and official will become even more blurred, even though many politicians claim that they have a right to express their own private thoughts just as anyone else. It is also becoming clearer to them, not just to the public, that with new digital forms this is seldom the case any more.

5. Digital Media and Technology

5.1 Spectrum

5.1.1 Spectrum Allocation Policy

The legal acts governing broadcasting licensing were adapted to DTT in 2005–2007. The Slovenian Mass Media Act (2006)¹³⁶ and the Electronic Communications Act (2006)¹³⁷ were amended to ensure a complete set of mechanisms for DTT licensing. The revised Law on RTV SLO (2005) modified spectrum acquisition by the public service broadcaster.¹³⁸ In addition, the Digital Broadcasting Act,¹³⁹ adopted in 2007, defined the conditions for the simulcasting period and set the switch-off date for 1 December 2010.

APEK, the national regulatory authority for electronic communications, broadcasting, postal services, and railway infrastructure, is in charge of licensing both the DTT network/multiplex operators and, together with the Broadcasting Council, the television channels. In both cases the selection procedure is based on a “beauty contest.” In Slovenia, the network operator and multiplex operator are not two separate entities, as in some other countries (e.g. Belgium, France, and the United Kingdom). Frequency licenses are granted to the DTT network operator, which is, as a rule, also a multiplex operator. However, there are no legal provisions to prevent the separation of these roles, so in theory it would be possible to have a separate multiplex operator.

To date, APEK has awarded two licenses for national DTT multiplexes and seven licenses for local DTT multiplexes, all but one via public tender. All nine multiplexes were put into operation by December 2010, when analog switch-off took place.

RTV SLO, as a public service broadcaster, had direct access to spectrum needed for the establishment of its multiplex, also called the first national multiplex, or multiplex A. The Law on RTV SLO (2005) gave the

136. An English version of the act is available at http://www.apek.si/sl/datoteke/File/2007/osebna%20izkaznica/public_media_act_official_consolidated_version_zmed+zmed-a_unofficial_translation_english.pdf (accessed 17 May 2012).

137. An English version of the act is available at http://www.apek.si/sl/datoteke/File/2007/osebna%20izkaznica/electronic_communications_act_official_consolidated_version_zekom-upb1_unofficial_translation_english.pdf (accessed 17 May 2012).

138. A Slovenian version of the act is available at http://zakonodaja.gov.si/rpsi/r01/predpis_ZAKO331.html (accessed 17 May 2012).

139. A Slovenian version of the act is available at <http://www.uradni-list.si/1/objava.jsp?urlid=2007102&stevilka=5066> (accessed 17 May 2012).

public service broadcaster the right to acquire the spectrum needed to fulfill its public service remit without tendering, but the Digital Broadcasting Act (2007) limited this right to one national multiplex and further stipulated that RTV SLO could be granted another multiplex only if there were no other applicants for that multiplex.

APEK granted the multiplex license to RTV SLO, upon application and without a fee, in December 2006. According to the license conditions, which reflect the legal provisions, RTV SLO has to cover at least 95 percent of the population with its DTT signal; has to use a cost-driven price for the DTT network services; and has to enable access to its infrastructure to other operators (co-locations). It now covers more than 95 percent of the population and offers its services not only to its own television channels, but also to the most watched commercial and regional television channels. In only a few years of operation of multiplex A, the composition of its program package has changed many times, as some television channels left the multiplex and others replaced them. In January 2012, six national channels and four regional channels were available on multiplex A.

The process of granting the license for the second national multiplex, also called multiplex B, was much more lengthy and complex than the allocation of the first multiplex. And, as explained below, the players involved cannot be satisfied with the outcome (see section 5.1.3.). In August 2007, almost a year before publishing the tender for the second national multiplex (multiplex B), APEK released an international call for identifying the potential tenderers. Aware of the fact that the choice of television channels in the second national multiplex, which was meant to be—in contrast to the first multiplex—a platform for commercial television channels, could be of extreme importance for the popularization of DTT among viewers, the regulator announced that the selection of television channels on multiplex B would be largely left to the operator itself.¹⁴⁰

According to the envisaged model, the future operator would only need to reserve enough capacity to transmit three television channels with digital licenses and would be free to use the remaining capacity for its own combination of television channels. The model was based on APEK's assessment, according to which an operator who would invest in the establishment of the second national DTT network would be motivated to form an attractive content offer that would make its business successful. Four potential operators, two domestic and two foreign companies, expressed their interest in getting the license to set up and manage the second national multiplex.

At that time, the Digital Broadcasting Act was still in parliamentary procedure and APEK was able to prepare the public tender for assignment of multiplex B only after the act came into force, at the end of 2007. However, it turned out that there was not enough legal certainty to carry out the initial plan, as APEK identified an obstacle in the Mass Media Act, amended in 2006. Art. 133 envisaged a penalty provision for operators of terrestrial digital networks that would transmit a television service without a DTT license

140. M. Krišelj, Deputy Director of APEK, in M. Ropret, "Digitalno še POP TV, Kanal A in TV3" (POP TV, Kanal A in TV3 also going digital), *Delo*, 25 September 2007, p. 11.

stipulated under Art. 104a. For that reason the only way to establish the second multiplex was through separate public tenders, one for selecting the network/multiplex operator and the other one for choosing television channels, to which the operator would in turn have to offer its services.

The tender for the operator was issued in June 2008¹⁴¹ and ended in October 2008 without a winner, since all three applicants failed to meet the tender conditions.¹⁴² Soon after that, the tender was re-launched with a slightly amended technical condition on minimum electric-field strength and modified reference requirements, and the same three candidates, two foreign-based companies and a consortium of Slovenian and foreign partners, applied:¹⁴³

- the Norwegian company Norkring,¹⁴⁴ part of the Telenor Group, which is an important player in various electronic communications markets across the world;
- the Austrian company ORS,¹⁴⁵ established as a spin-off of the Austrian public service broadcaster ORF's technology division; and
- the consortium Slovenian DTT, in which a Luxembourg-based terrestrial broadcasting operator played a major role.

The consortium did not pass the formal check and was disbarred by the Tender Committee. Lacking a clear legal status, it did not fulfil the Consortium the basic criteria for applicants, which stipulated that only legal entities were allowed to apply. Of the remaining two bidders, Norkring was ranked first by reason of a better price/performance ratio, and in December 2008 was granted the license without any fee, as was the case with RTV SLO.¹⁴⁶

According to the Electronic Communications Act (2006), no fee is required if a public tender applies to radio frequencies for broadcasting. The broadcasting operators, unlike other users of radio frequencies, are exempt from a one-off payment of the so-called fee for the efficient use of a limited natural resource. They are, however, still obliged to pay APEK the annual fee for use of the assigned radio frequencies. The payments cover the expenses of the national regulatory authority, deriving from the management and monitoring of the radio frequency spectrum.

141. APEK, "Announcement on public tender for DTT network radio frequencies for the whole territory of the Republic of Slovenia (multiplex B)" (hereafter, APEK, "Announcement on public tender for DTT network radio frequencies for multiplex B.") See http://www.apek.si/sl/javni_razpis_za_podelitev_radijskih_frekvenc_za_omrezje_prizemne_digitalne_radiodifuzije_dvb_t_za_celotno_ozemlje_republike_slovenije_multipleks_b (accessed 27 January 2011).

142. APEK, "Announcement on termination of the tender." See http://www.apek.si/sl/frekvence_za_omrezje_prizemne_digitalne_radiodifuzije_dvb_t_na_celotnem_obmocju_rs_multipleks_b_ostajajo_nepodeljene (accessed 27 January 2011).

143. APEK, "Announcement on public tender for DTT network radio frequencies for multiplex B."

144. See <http://www.norkring.com> (accessed 17 May 2012).

145. See <http://www.ors.at/evew08/start.php> (accessed 17 May 2012).

146. APEK, "Announcement of the outcome of the tender for the second national multiplex and on tenders for selecting TV channels for DTT broadcasting." See http://www.apek.si/sl/appek_izbrala_operaterja_drugega_nacionalnega_multipleksa_in_tv_programe (accessed 27 January 2011).

Norkring's license requirements include a coverage obligation, price maximum, and an obligation to guarantee the multiplex services to at least eight television channels with a national DTT license. The coverage obligation for multiplex B is lower than the coverage minimum for multiplex A. According to its license, Norkring had to ensure coverage of 70 percent of the population by September 2009 and increase it to 85 percent by September 2010. Its price maximum was fixed to €360,000 per television channel per year. For most of its operation, it hosted only two channels, TV3 and Pink.si, both with national licenses.

To ensure digital terrestrial broadcasting also in locations which were beyond the scope of current national DTT networks, and to establish a platform for terrestrial transmission of local television channels, APEK launched public tenders for assignment of radio frequencies for local multiplexes in June and September 2010.¹⁴⁷ The tenders were mainly won by the holders of analog television broadcasting licenses in those local areas. This enabled them to become operators of their own multiplexes and made possible a rather simple transition to digital transmission: a direct replacement of broadcasting technology without a simulcasting period.

As to the development of digital radio, there is no significant progress. Only four radio stations of the public broadcaster RTV SLO hold the right to broadcast in the T-DAB technique and are received in the northern part of the Ljubljana basin. As in the case of digital television, APEK granted RTV SLO digital radio licenses upon its application, without a public tender. Since the decision on the standard of digital terrestrial radio has not yet been taken, radio stations are limited to the FM part of radio spectrum, which is already fully occupied and does not offer them chances for further technological development or for improvement of coverage. Nevertheless, it is unlikely that there will be a switch-off date for analog terrestrial radio as there was in the case of television. According to APEK's forecasts,¹⁴⁸ it is more probable that digital terrestrial radio will develop in parallel to analog on a different radio spectrum interval. Therefore, it is unlikely that FM radio will need to be abandoned in the near future.

In the current Frequency Allocation Table for the Republic of Slovenia there are some radio frequencies in the geographical areas of Ljubljana, Koper, Celje, and Gornja Radgona that are reserved for citizens' initiatives, but those are for radio broadcasting for now. An organization can apply to APEK to receive a temporary or a special events license, which give it the right to use the selected frequencies for its projects.

However, there was a citizens' initiative, according to which some television spectrum released after the analog switch-off should have been offered to the public, instead of being sold off to bidders who can offer more money. The initiative for the creation of an autonomous media zone around the 700 MHz was launched in 2007. Analog television channels were broadcasting within that spectrum then. Infocalypse Now!¹⁴⁹ promoted

147. See APEK's announcements on 10 public tenders in June 2010 and on four tenders in October 2010 at http://www.apek.si/sl/javni_razpisi (accessed 27 January 2011).

148. As described in APEK's "Proposal of strategy of development of radio stations and television channels in the Republic of Slovenia" (2008), pp. 23–26. See http://www.apek.si/sl/datoteke/File/2008/informacije%20za%20stranke/strategija_razvoja_ra_in_tv_programov.pdf (accessed 27 January 2011).

149. See <http://www.aksioma.org/infokalipsa/index.html> (accessed 17 May 2012).

the idea of taking a share of the spectrum released after the analog switch-off. The group of artists, experts, and other prominent individuals advocated the idea that a part of the freed spectrum should be assigned to the public sphere, where all public goods such as water, health services, and frequency spectrum belong. The initiative attracted significant media attention and the authors were offered a chance to talk about it in Parliament, but nothing further was done.

5.1.2 Transparency

For the time being, it is not possible to give any example of the selective application of legal provisions in granting the rights to use radio spectrum for DTT. As explained above, in the years before the switch-off, the interest in acquiring spectrum for DTT was not really high, either on the national level or on the local one. The allocation process was transparent. The operator of the second national multiplex won the tender by offering the best price for services. The operators of seven local multiplexes, on the other hand, had no competition at all. In each of the seven local communities only one candidate applied. All candidates were issued licenses in their respective areas. In three areas no candidates applied for the multiplex license.

Taking into account the developments related to the withdrawal of both an important broadcaster (Prva TV, owner of TV3) and the operator of the second national DTT multiplex (Norkring), it would be safe to assume that in the small and not very developed Slovenian television market there will not be further interest in DTT spectrum. There are signs, however, that the interest in acquiring spectrum for the next multiplexes exists. It could even increase with the introduction of the latest broadcasting standard, DVB-T2, and the removal of administrative barriers for the introduction of pay television on DTT. If we experience more intense competition for spectrum allocation in the future, more pressures on the regulator can be expected.

5.1.3 Competition for Spectrum

Despite the fact that Norkring most of the time hosted only two television channels in multiplex B, while having enough free capacity for at least six more, and that RTV SLO managed to fill only half of its multiplex A with its public service television channels, there has always been a number of initiatives to encourage the regulator to put out to tender another one or two national multiplexes.

Surprisingly enough, one of the most eager supporters of the rapid establishment of further national multiplexes was RTV SLO itself. Shortly before the switch-off, it asked APEK for another multiplex so that it could introduce high-definition television (HDTV) services. APEK refused, on the ground that RTV SLO had enough space for eventual HD services on multiplex A.

However, multiplex A has not really been half-empty, as the unused capacity has been marketed to commercial broadcasters at prices which Norkring considered too low. Claiming that such pricing represents unfair competition, Norkring initiated with APEK a procedure of monitoring the prices of RTV SLO, which was completed in summer 2011, but without fulfilling Norkring's expectations that the findings would confirm that RTV SLO was guilty of uncompetitive practices.

In its endeavors to fill multiplex B, Norkring tried to prevent RTV SLO from carrying channels other than the public service ones on multiplex A, arguing that this was in breach of EU directives.

In May 2011, the Ministry of Higher Education, Science and Technology submitted the amended Law on Digital Broadcasting to public discussion. They proposed changing Article 15, disputed by Norkring. The final consequence of the proposal, if adopted, would be the relocation of the commercial television channels from RTV SLO's multiplex A, so that it would remain available only for broadcasting its own television channels and other services in the general interest.

Nevertheless, it was clear that the commercial channels did not want to leave RTV SLO's multiplex and join Norkring's, claiming that the Norwegian company has been lobbying for a change in the law, supported by a visit of the Norwegian royal family along with a business delegation. Indeed, the proposal was submitted soon after a memorandum for a Norwegian grant of €14.4 million (US\$20.7 million) was signed,¹⁵⁰ but the ministry rejected the allegations and explained: "We found that the provision of the first and second paragraphs of Article 15 of the Act have become controversial in terms of secondary European law on electronic communications," adding that the sole purpose of the proposal was to ensure the correct incorporation of EU secondary legislation.¹⁵¹

However, while the draft bill remains with the government and has not been introduced for parliamentary debate, Norkring has given up on doing business in Slovenia and started taking down its transmitters network and facilities in the spring of 2012.

Despite the fact that Parliament in June 2012 finally adopted the controversial amendments to the Law on Digital Broadcasting, Norkring ceased operations and removed transmission equipment from the country. However, the company has not returned its multiplex license and has remained the operator of a non-operating multiplex B, occupying some very valuable radio frequency spectrum, part of it intended for digital dividend (channels higher than 60). The regulator's intervention is expected in this matter.

According to Minister Žiga Turk,¹⁵² the regulator is expected also to carry out tenders for the next national multiplexes as soon as possible. Commercial broadcasters, hosted by RTV Slovenia, will have to leave multiplex A, as soon as there will be capacities available on other multiplexes, other than multiplex A.

150. The grant, from the Norwegian Financial Mechanism, was assigned to projects chosen by a tender that was open from January to April 2012. The aim of the grant is to contribute to the reduction of economic and social disparities in the European Economic Area (EEA), and to strengthen bilateral relations between Norway and 12 beneficiary states: Bulgaria, Cyprus, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Romania, Slovakia, and Slovenia.

151. "Pro plus: Golobič po obisku kraljeve družine nenadoma o neustreznosti zakona" (Pro plus: [Minister] Golobič after royal family visit suddenly on inadequate law), *Dnevnik*, 20 May 2011. See <http://www.dnevnik.si/novice/znanost/1042446206> (accessed 20 July 2011).

152. "Minister dr. Žiga Turk: APEK naj izvede javni razpis za podelitev frekvenc za vsaj dva multipleksa (APEK should carry out a public tender for allocation of frequencies for at least two multiplexes), website of the government, 29 June 2012, http://www.mizks.gov.si/nc/si/medijsko_sredisce/novica/article/77501/ (accessed 5 August 2012).

The amended law that has not succeed or was too late to convince Norkring to stay in Slovenia may at the end of the day help the public broadcaster to gain additional spectrum and use it for commercial purposes without any fear of criticism, if no new player will appear in digital terrestrial broadcasting in Slovenia.

5.2 Digital Gatekeeping

5.2.1 Technical Standards

Digital terrestrial broadcasting in Slovenia started in 2001 with RTV SLO's first test transmissions. The earliest television trials were based on the MPEG-2 coding standard, which was at that time the dominant and most common codec in Europe. The telecoms professionals were of the opinion that it had already passed the peak of development and that, despite being a stable, inexpensive, and secure choice, it would not offer the best chances for the evolution of the DTT platform, while MPEG-4, on the other hand, would enable a more efficient use of the spectrum, faster deployment of HDTV, and offer better chances of a digital dividend.

The decision for MPEG-4 as the obligatory audio and video compression for DTT in Slovenia was adopted by a consensus of the key stakeholders in broadcasting, including the public and commercial broadcasters, the network operators, experts from related disciplines, and policymakers in October 2006 on the second meeting of the Digital Broadcasting Forum. Civil society representatives were invited, but they did not take an active part in the discussions due to lack of technical knowledge and consequently low awareness of the potential consequences of such decisions. Soon after that, in November 2006, APEK issued the first regular DTT licenses to RTV SLO. The obligatory use of the DVB-T broadcasting standard and MPEG-4 coding standard were among the license requirements.

When the decision on the adoption of MPEG-4 was made, set-top boxes (STBs) suitable for Slovenian technical requirements just started to appear in retail stores. At that time they were very expensive. The price of one of the first models of the MPEG-4 STB (a basic one), available in one of the biggest national retail chains, was €150 (US\$190). Prices of more sophisticated versions reached €250 and more, while the average price of an MPEG-2 STB was around €50.

Even after the adoption of MPEG-4, some retailers continued to promote MPEG-2 STBs as a way to receive digital television. For that reason, APEK issued a public appeal, warning of the limited usability of MPEG-2 decoders, and asked retailers to give their customers complete information on the products, by underlining that MPEG-2 decoders were not suitable for receiving DTT channels in Slovenia.

Nevertheless, many people, especially those who lived in bordering regions, kept on buying MPEG-2 decoders in order to watch the spillover of Austrian, Italian, or Croatian digital television channels. This raised concerns within the industry that the growing penetration of MPEG-2 decoders could impede the adoption of more expensive MPEG-4 STBs. Slovenia is surrounded by countries which all adopted MPEG-2 and were at that time well ahead of Slovenia in the digital switch-over process. The Slovenian television audience, traditionally

keen on watching television channels from the neighboring countries, was interested in the expanded digital television offer in those countries, while in Slovenia the sole national DTT multiplex had been offering only a small number of channels, which were already available on all the other television platforms.

Skepticism about the adoption of MPEG-4 was additionally stimulated by a group of retired technical managers of RTV SLO, who got a lot of media attention by arguing that the decision was premature and wrong.¹⁵³ However, it soon became obvious to regulators and the industry that many countries that adopted MPEG-2 will have to change it to MPEG-4 in the near future.¹⁵⁴ By then, the MPEG-4 STBs were being sold at increasingly affordable prices and the question over the appropriateness of the adoption of MPEG-4 gradually disappeared from the media agenda. By December 2010, the MPEG-4 STBs were being sold for less than €50 in Slovenian shops.

We can conclude that, in a way, the adoption of MPEG-4 shaped the process of adoption of DTT in Slovenia, which perhaps would have been smoother and faster had the price of the equipment been lower. Still, the coding standard is just one of the elements that influenced the transition to DTT, which after all was successfully completed. The decision for MPEG-4 could have more far-reaching consequences on the viewers of Slovenian television channels in bordering countries than for their viewers in Slovenia. For instance, there is a substantial Slovenian minority of 70,000–80,000 people in Italy.¹⁵⁵ The reception of the television signal in Italy is predominantly terrestrial and in the analog era many viewers there were able to watch Slovenian television without any problem. After the analog switch-off, which in Slovenia was done on 1 December 2010 and in the regions bordering Italy just two days later, the number of potential viewers of Slovenian television channels in Italy decreased.

Italy chose MPEG-2 and only those members of the Slovenian minority who acquired MPEG-4 STBs will be able to follow programs in their mother tongue. “I fear that here, across the border, even now not all are motivated to buy MPEG-4 decoders, which cost twice as much as MPEG-2,” said Rudi Pavšič, president of the Slovenian Cultural and Economic Association in Italy.¹⁵⁶

However, as the latest developments show a strong move toward the adoption of advanced broadcasting and coding standards (DVB-T2 and MPEG-4) all over Europe, the situation on the borders is not cemented. Due to the rapid technological development of digital television, consumers will need to get used to frequent changes of equipment.

153. M. Ropret, “Odločitev za standard MPEG-4 je bila pravilna” (The decision to set MPEG-4 as standard was correct), *Delo*, 19 May 2009, p. 17.

154. See, for example, the debates over the introduction of DVB-T2 and MPEG-4 in order to launch terrestrial HDTV services in the UK.

155. See the website of the Office for Slovenians Abroad, available at http://www.uszs.gov.si/si/delovna_podrocja/slovenci_v_zamejstvu/ (accessed 28 January 2011).

156. P. Verč, “Dekoderjev ne bodo vsi kupovali” (Not everybody will buy the decoders), *Primorske novice*, 19 November 2010, p. 15.

5.2.2 Gatekeepers

In comparison with the era of analog terrestrial broadcasting, when almost any broadcaster in Slovenia was also the operator of its transmission facilities, the possibility of network operators controlling access to distribution networks by content service providers increased substantially after the transition to digital terrestrial broadcasting.

However, not all network operators were in a position to dictate access conditions. The most powerful is RTV SLO, the public service broadcaster and the operator of the national terrestrial network with the largest coverage at the same time.¹⁵⁷ The possibility of hosting the commercial television channels with digital licenses on its multiplex influenced the chances of Norkring filling multiplex B, especially given its technical withdrawal in early 2012, as reported in section 5.1.3. Christian Skottun, the former Director General of Norkring in Slovenia, said in 2010, at the time of the switch-over, that RTV SLO's offering of multiplex A capacities to commercial television channels was not in line with the basic rules of fair competition: "It is strange that RTV does not use the entire multiplex to develop its own content services, since the majority of European public services would prefer to utilize all available capacity."¹⁵⁸

Local multiplex operators have also gained a certain amount of power in their potential role as gatekeepers. The question is, however, whether they would ever find themselves in a position to use this power, since the chances for an increase in content offer at the local level are low.

5.2.3 Transmission Networks

As APEK's surveillance of RTV SLO's pricing, started upon the request of Norkring, did not reveal uncompetitive practices, we cannot conclude that there were any interventions of RTV SLO as a network operator, aimed at privileging certain broadcasters in the redistribution of spectrum resources on multiplex A.

Besides complaints to the electronic communications regulator, Norkring also lodged a criminal complaint against the management of RTV SLO and an application to the Anticorruption Commission, with accusations that the public service broadcaster's executives violated the regulatory decision concerning the broadcasting of television channels on multiplex A. The company also complained to the European Commission and the Antitrust Office. No procedure has so far resulted in a positive outcome for Norkring. The company's announcement of its withdrawal from the Slovenian market and the closure of its local company in February 2012 came therefore almost as an expected consequence of a series of failed attempts to attract commercial broadcasters to choose multiplex B and unsuccessful attempts to get help from Slovenian politicians and regulators.

157. RTV SLO is not a company but a public institution, which the Law on RTV SLO (2005) allows to conduct commercial activities in certain areas.

158. Interview with Ch. Skottun, in B. Petkovič, "Nizozemski scenarij bo v Sloveniji težko uresničiti" (The Netherlands scenario will be hard to become true also in Slovenia), *Dnevnik*, 18 December 2010, p. 2.

The Executive Director of the Norwegian operator, Torbjorn Odegard Teigen, stressed in a press release that the company was withdrawing because it “did not achieve the objective, a sound business enterprise.” The Executive Director of Norkring’s Slovenian subsidiary, Roman Šmidovnik, on the other hand, expressed his regret that Slovenia was losing another foreign investor due to an unregulated business environment. Despite some speculations that Pro Plus might be interested in buying their network facilities, these have not been confirmed by Pro Plus’s representatives, and Norkring announced the dismantling of their network in March 2012.¹⁵⁹

The new Prime Minister Janez Janša revealed in his first primetime interview on RTV SLO¹⁶⁰ after his appointment that he had met the representatives of Norkring, but he acknowledged that there was little chance of convincing them to change their decision to leave Slovenia.

5.3 Telecommunications

5.3.1 Telecoms and News

Telecoms are becoming some of the most important actors in media content distribution in Slovenia and in the case of Telekom Slovenije and its company TS Media, also very important actor in media content production. The state-owned Telekom Slovenia, the largest electronic communications operator and service provider, is at the moment technically the largest digital television supplier, since it offers both cable and IPTV services, with massive bundles of digital television channels, video-on demand services (VOD), and personal video recorder (PVR). The second and the third most popular Slovenian websites, Siol.net and Najdi.si, belong to Telekom Slovenia, but the leading broadcasters still hold strong online content: the website of Pro Plus, 24ur.com, ranks first, while the website of RTV SLO, Rtv slo.si, ranks fourth among the most popular Slovenian sites.¹⁶¹

The main media and telecoms companies also offer online news and other content for mobile phone subscribers. The two largest mobile telecoms operators, Telekom Slovenia and Si.Mobil, keep on increasing their offer of digital content (news, entertainment, interactive games, etc.) on their platforms Planet Siol and Vodafone live!.

In 2005, a new player, T-2, entered the market and offered an IPTV service with 120 television channels and a VOD service. T-2, which is owned by the Slovenian Roman Catholic Church, gained a significant share of subscribers and contributed to the rapid growth of IPTV on the Slovenian market. However, large investments had taken their toll and the company is in serious financial problems, which threatens its ability to stay in business.

159. “Tudi Norkring zapuša Slovenijo” (Norkring is also leaving Slovenia), *Siol.net*, 1 February 2012. See http://www.siol.net/novice/tehnologija/telekomunikacije/2012/02/norkring_zapusca_slovenijo.aspx (accessed 12 February 2012).

160. Interview with Janez Janša, “*Pogledi Slovenije*” (Views of Slovenia), SLO 1, 9 February 2012.

161. According to the December 2011 figures of the MOSS project, dedicated to monitoring Slovenian websites. See http://www.moss-soz.si/si/rezultati_moss/obdobje/default.html (accessed 29 January 2012).

Six months before the switch-off date, AGB Nielsen's basic research showed that three-quarters of television households were receiving a television signal via cable or IPTV distribution. At that time, only 22 percent of television households were still relying on terrestrial reception. AGB Nielsen estimated that, as a result of the switch-over, another 5 percent of households would move to cable or IPTV.¹⁶² A few months after the switch-over, AGB Nielsen data confirmed their initial speculation, as there were only 17 percent of households dependent on the terrestrial television signal.¹⁶³

5.3.2 Pressure of Telecoms on News Providers

The broadcasters, especially the small ones, on different occasions pointed to inadequate, vague, and incomplete must-carry mechanisms, introduced by the Mass Media Act in 2001. These often failed in practice, leaving the broadcasters to the discretion of the distribution platform operators who are effectively free to dictate conditions regarding inclusion of a service in their bundles, the payment, and the location on the list of programs. After the failure of the proposal of the new media act in summer 2011, a group of broadcasters together with the trade association of the broadcasting media prepared their own proposal with detailed must-carry provisions. In a short time they gained support of a parliamentary party which filed it in Parliament. The procedure was not completed due to the dissolution of Parliament in October 2011. Instead, a shorter amendment of the act, enabling free utilization of RTV SLO's broadcasting infrastructure and multiplex capacities for certain groups of broadcasters, was adopted by a new Parliament in June 2012.

5.4 Assessments

During the switch-over process, the radio spectrum allocation has been more marked by the absence of politics and by inconsistency of policy than by their presence. The lead-up to the transition from analog to digital was primarily market- and technology-driven. Little attention was paid to societal, cultural, or political aspects. The switch-over process was led and coordinated first by the Ministry of Economy and, after the change of government, by the Ministry of Higher Education, Science, and Technology.

The Ministry of Culture, despite its responsibility for media, was not substantially involved in the process until the switch-off. Nevertheless, the future course of events might be subjected to new pressures, as the transition to digital broadcasting has been completed and it appears that the market players have begun the struggle for the best position on the market, which also includes efforts to obtain as much as possible of the radio spectrum. In such circumstances, it is likely that the attention of the policymakers will be directed toward the needs of the industry in the first place, while the interests of other parts of society might be put aside again.

162. B. Kušnjerek, "Bo digitalizacija spodbudila gledanje televizije?" (Will digitization increase the TV ratings?), *Marketing Magazin*, October 2010, p. 32.

163. AGB Nielsen Media Research, "The Basic Research—Spring 2011," 2011.

As illustrated by the examples above, the current spectrum regulation model in relation to digital terrestrial broadcasting is not very efficient. Despite the diminishing scarce resource argument for regulation, the terrestrial platform continues to be the most heavily regulated broadcast platform. The legislation has many holes. One of them, namely the provision of the Digital Broadcasting Act, which enabled RTV SLO to freely offer the capacities of its public service multiplex on the market, was corrected by the June 2012 amendment to the Digital Broadcasting Act. The other problematic area is the provision of the Mass Media Act, which forbids operators from transmitting television channels which do not hold APEK's license for DTT broadcasting. Regardless of the absence of channels which would like to enter its multiplex and would be willing to undergo a public tender for the sake of getting the relevant license, the operator cannot simply fill the multiplex with a service package of its own choice. Under the conditions of a small market, where there is no significant potential for new television channels, it would be misguided to rely on a scenario where the problem of the empty multiplexes could be solved through existing legal or regulatory mechanisms. However, it is unclear how the legislature and the regulator will address these questions in the future.

No laws or policy documents dedicated to the allocation and regulation of white spaces and digital dividend have been adopted yet. The only document we can refer to in this regard is APEK's Draft Strategy on the Use of Radio Frequency Spectrum for IMT Technology,¹⁶⁴ which was first presented to the public in 2009. The draft offered a scenario on coordination of the digital dividend and indicated possibilities for its future use, but only became a political topic a year later. Currently it is being revised. It has been put to public consultation in February 2011 and its adoption is expected in 2012. White spaces are not covered in the draft.

Public interest in the media was broadly dealt with in the draft Media Act, which entered into parliamentary debate only in June 2011, but did not pass the first reading in July 2011. However, neither in the current legislation nor in its planned revisions are there any legal provisions addressing the public interest related to white spaces and digital dividend allocation.

164. Presentation of the draft strategy, prepared for APEK by Vafer, November 2009. See http://www.vafer.si/files/Vitel_Vafer.pdf (accessed 31 January 2011).

6. Digital Business

6.1 Ownership

6.1.1 Legal Developments in Media Ownership

The main effects of media regulation on media ownership relate to regulation adopted in 1994, with some amendments dating from 2001 and 2006, as there were no changes in media legislation that would affect media ownership over the past five years. The Mass Media Act passed in 2001 addresses the issues of media plurality and diversity in minute detail in Section 9. Much like the previous law dating from 1994, this act also treated anti-concentration provisions inside a wider framework embracing the protection of media pluralism and media diversity. According to the Mass Media Act, a publisher of a daily newspaper, or any natural or legal person, or group of related persons, who has more than a 20 percent interest in the capital or assets of that publisher, or more than 20 percent of management or voting rights, may not be an owner or co-founder of a radio or television broadcaster, and may not engage in radio and television activities. The same restriction applies to a radio or television broadcaster, who under this law may not be a publisher of a daily newspaper.¹⁶⁵

The Mass Media Act was changed and adopted by Parliament in summer 2006.¹⁶⁶ It raised the ceiling on ownership to 33 percent for any owner, including foreigners, and assigned the task of restricting ownership concentration to the Ministry of Culture, whereas in the past it was assigned to different bodies and quite ineffective. After the parliamentary elections in 2008, the left-wing government signaled that it planned to reconsider the Mass Media Act and media legislature in general, particularly refining for example the broadly defined current “right of reply and correction” and the procedures for the annual financing of radio and television programs of special significance.

The newly revised Mass Media Act was planned first for 2009, then for 2010; however, it was postponed and then finally presented in June 2011. It was introduced in Parliament, but did not pass the first reading on 15 July 2011, with 38 votes in favor and 39 votes against.

165. S. Bašić Hrvatinić and L.J. Kučić, “Slovenia,” in S. Bašić Hrvatinić, L.J. Kučić and B. Petković, *Media Ownership and its Impact on Media Independence and Pluralism in Slovenia and Other Post-Socialist European Countries*, Peace Institute, Ljubljana, 2004, pp. 49–92.

166. Zakon o spremembah in dopolnitvah Zakona o medijih (ZMed-A), Uradni list RS, *Official Gazette*, no. 60/2006, 24 June 2006 (hereafter, ZMed-A, (Law Amending the Law on Media) Uradni list RS, 24 June 2006). See <http://www.uradni-list.si/1/objava.jsp?urlid=200660&stevilka=2536> (accessed 20 January 2011).

The government then quickly prepared a law dedicated to audiovisual media, the Act on Audiovisual Media Services (2011)¹⁶⁷ (hereafter, the AVMS Act), as there is an infringement procedure pending due to the non-transposition of the European Directive on Audiovisual Media Services. The act was hastily adopted in October 2011 on the last meeting of the dissolved Parliament. However, this law does not regulate media ownership and thus had no effect on news media ownership.

6.1.2 New Entrants in the News Market

There were a number of attempts to enter the news market over the past five years, but most of them failed. Among the new entrants was the Serbian broadcasting company TV Pink, which started in 2010 to broadcast in Slovenia with a program, “Pink.Si,” that was part Serbian production of folk music and entertainment, part Slovenian production of some domestic entertainment and comedy. It also announced the launch of a Slovenian news program. However, just weeks after the newsroom was established and journalists hired, the company announced that it would close down the news program as a result of major financial and other problems in Slovenia, and the region as a whole. Its news production thus failed before it even started and did not have any impact on the Slovenian news market, although there were huge expectations of this news program in terms of audience size and influence, given the size of the parent company and its influence in Serbia and the rest of the Balkans.

The main new entrant in the Slovenian news market in the last five years is a free daily, *Žurnal24*, which started in November 2007 and is the most widely read newspaper in Slovenia. However, it is not a real new entrant as it is developed from the free weekly *Žurnal*, which started in November 2003. Both newspapers, the daily and the weekly, are owned by the Austrian media company Styria Media Group AG, which is one of the largest print companies in Austria, Slovenia, and Croatia. It publishes nine dailies, 17 weeklies, 15 magazines, and more than 40 magazines in Croatia, Slovenia, and Serbia (within the Adria Media Company). It is part-owner of two radio networks, one television channel, and seven book publishers.¹⁶⁸ *Žurnal24* consists mostly of in-house journalistic content, with an important share of political and economic topics, and not just reproductions of agency news and other similar cheaper content. It is also successful in terms of readership, as mentioned, and as an agenda-setter in Slovenian politics and the economy.

However, in business terms, *Žurnal Media* and *Žurnal24* have huge financial problems. Some of these problems can be attributed to the economic crisis which has caused problems for free newspapers not just in Slovenia but elsewhere in Europe.¹⁶⁹ However, *Žurnal Media* had financial problems in Slovenia since its start, before the recession began in 2008, and the recession has only exacerbated its business problems: *Žurnal24* has accumulated almost €24 million in losses, with a €6.42 million loss in 2009 (with €7.6 million

167. See <http://www.uradni-list.si/1/objava.jsp?urlid=201187&stevilka=3715> (accessed 25 January 2012).

168. See <http://www.styria.com/en/styria/index.php> (accessed 12 February 2011).

169. M. Milosavljević, “Trendi v panogi dnevnih časopisov in strateški izzivi časopisnih podjetij” (Trends for daily newspapers and strategic challenges of print companies), presentation at the workshop of *Delo* newspaper, May 2010.

in income) and estimated loss of between €4 and €5 million in 2010.¹⁷⁰ In August 2011, the company fired 12 journalists and editors, and around 20 other regular writers and contributors were also dismissed because of increasing losses and bad financial results, as the company's losses increased in the first half of 2011 by €4.8 million. These financial problems may threaten the paper's existence and cause its closure; however, its parent company officially decided to continue publishing the newspaper at least for the remainder of 2012, while a possible transformation into a paid-for newspaper has been denied.¹⁷¹ The future of Žurnal Media and *Žurnal24* remains precarious.

Another important new entrant is Pozareport.si, a blog/website (officially subtitled "Slovenia behind the scenes"), mentioned earlier (see section 4.2.3). It began in 2007 and has since established an important place within the media, politics, economy, and entertainment world. It is an often controversial tabloid, and has been accused of political bias and links (particularly by left-wing political parties); however, it is also important in terms of agenda-setting and influence. It is the 34th most popular website in Slovenia and, according to recent writings by the editor/journalist/blogger Bojan Požar, with "only one or two articles per day achieving 70 percent of the reach of the website of the daily newspaper *Delo* (with tens of articles per day) which is produced by some 200 journalists."¹⁷² The company that publishes Pozareport.si, Report, has no employees and its annual income increased from €171,387 in 2007 to €219,748 in 2009.¹⁷³

6.1.3 Ownership Consolidation

Among the most important horizontal mergers in the last five years in Slovenia is the takeover of the daily newspaper *Večer* from Maribor by the publishing company Delo, which already publishes the two largest newspapers in Slovenia: the daily newspaper *Delo* and the tabloid *Slovenske novice*. The takeover was, however, blocked by the UVK in autumn 2009. The Office for the Protection of Competition (*Urad za varstvo konkurence*, UVK) claimed that the merger would lead to unfair competition in the daily newspaper market, by putting too much market power in the hands of a single publisher.¹⁷⁴ The merger was thus prevented on economic grounds and not based on the influence of such a merger on the pluralism of media and diversity of voices.

However, in early 2012, Delo still has not sold its shares of *Večer*, although it has attempted to do this for more than a year, as there was little (relevant) interest on the behalf of buyers, due to the economic crisis in the region. The only company that has expressed interest and made an official offer to buy *Večer* is a small

170. B. Požar, "Tajni plani avstrijske Styrie: zgubaški Žurnal naj bi kmalu plačevali?!" (Secret plans of Austrian Styria: will we soon have to pay for loss-making Žurnal?!). See <http://www.pozareport.si/?Id=mediji&View=novica&novicaID=16910&type=tags> (accessed 11 March 2011).

171. M. Skulj, "Kljub težavam bo Žurnal ostal brezplačnik" (In spite of the troubles, Žurnal remains free newspaper), interview with Goran Novkovič, editor-in-chief and manager of *Žurnal Slovenija*, *Slovenske novice*, 22 August 2011. See <http://www.slovenskenovice.si/novice/slovenija/intervju-kljub-tezavam-bo-zurnal-ostal-brezplacnik.html> (accessed 20 September 2011).

172. B. Požar, "Moj odgovor Janezu Markešu: pravi kverulanti so na Delu" (My answer to Janez Markeš: the real amateurs are at Delo), 28 February 2011. See <http://www.pozareport.si/?Id=mediji&View=novica&novicaID=16874&type=tags> (accessed 1 March 2011).

173. J. Markeš, "Poročilo režimskih lakajev" (Report from the regime servants), *Delo*, 26 February 2011.

174. See http://www.uvk.gov.si/si/zakonodaja_in_dokumenti/ostali_dokumenti/arhiv_odlocb/odlocba169/ (accessed 17 May 2012).

computer company, 3lan, which has only four employees and a small annual income—leading to accusations and suggestions that it is not the real purchaser and thus only a front for some political attempt to gain control over *Večer*, the third-largest daily newspaper in Slovenia.¹⁷⁵

Another important case of controversial ownership and control of the media for political purposes is the case of two free weekly newspapers that were published only before the parliamentary elections in autumn 2008. *Ekspres* and *Slovenski tednik* were published for a few weeks, with only a few printed issues, and were full of articles with unspecified authors or authors using pseudonyms, mostly attacking left-wing parties and praising right-wing parties, particularly the Slovenian Democratic Party (*Slovenska demokratska stranka*, SDS) and its president Janez Janša. Later, a parliamentary committee was established to investigate the financing of these free newspapers, with possible money laundering and illegal election campaigning suspected as the reasons for their creation. In January 2011, a media-buying company, Media Polis, involved in buying adverts for these newspapers, stated before the committee that they had lent €120,000 (US\$152,184) to SDS, confirming some financial ties between the party and the newspapers.¹⁷⁶

The state-owned postal company Pošta Slovenija was involved in some of the financing of these free newspapers, with possible political motivation and help for these decisions; the parliamentary committee in March 2011 accused the CEO of Pošta Slovenija, Aleš Hauc, of false testimony before the committee regarding the financing.¹⁷⁷ The final report of the committee investigation was published in September 2011. The committee concluded that these two free newspapers were “established and published to influence the parliamentary elections in 2008, to discredit political competition, to help the leading party of the then-ruling coalition, SDS, and to cover up election propaganda and campaigning, and problematic unding of political parties.”¹⁷⁸

6.1.4 Telecoms Business and the Media

The main development regarding the telecoms industry’s involvement in the media sector is the increasing activity of TS Media, a media, internet, and advertising company owned by the state-controlled Telekom Slovenia. Apart from a popular news and entertainment website, Siol.net, it also runs a number of other websites (for example the search engine Najdi.si and the adult website Dajmedol.si), outdoor advertising, mobile advertising, and the television channel Planet TV.

Launched in 2003, Siol TV, Telekom Slovenia’s IPTV service, had 117,000 IPTV subscribers at the end of the first half of 2011, up 6 percent year-on-year. Siol TV also provides access to a 700-title VOD library

175. K. Škrinjar, “Kako daleč je Delova prodaja Večera?” (How far is Delo from selling Večer?), *Delo*, 5 March 2011. See <http://www.delo.si/clanek/142801> (accessed 6 March 2011).

176. A. Deli, “Brezplačniki: Media Polis posodil SDS 120.000 evrov” (Free newspapers: Media Polis lent SDS €120,000), *Delo*, 18 January 2011. See <http://www.delo.si/clanek/136869> (accessed 3 March 2011).

177. Ni. Č., “Komisija o brezplačnikih kazensko ovadila direktorja Pošte Slovenija Hauca” (The commission on free newspapers filed criminal charge against CEO of Pošta Slovenije, Hauc), *Delo*, 2 March 2011. See <http://www.delo.si/clanek/142418> (accessed 5 March 2011).

178. Al. B., “Brezplačnika sta bila ‘trojanska konja’” (Free newspapers were Trojan horses), *Žurnal24*, 26 September 2011. See <http://www.zurnal24.si/brezplacnika-sta-bila-trojanska-konja-clanek-136080> (accessed 10 January 2012).

(Dkino.si). TS Media employs 450 part-time and fully employed staff.¹⁷⁹ According to an interview with its CEO, Rudolf Skobe, in October 2011, the company has even bigger plans for its media and news activities in 2012 and beyond.¹⁸⁰

6.1.5 Transparency of Media Ownership

According to the Mass Media Act from 2001 and amended in 2006, all media must be registered, and in order to be registered they must provide information on all owners or part-owners owning or controlling more than 5 percent of shares or controlling more than 5 percent of voting rights (Art. 17).¹⁸¹ According to the amended Mass Media Act from 2006, media that do not provide this information to the *Official Gazette* by the end of February each year must pay a penalty of between €800 and €60,000 (Art. 132).¹⁸² There are not many breaches of this provision in evidence. The media appear to have accepted this obligation and are not trying to avoid it.

The level of transparency of media ownership has improved since the early 1990s when most of the ownership was opaque and the availability of ownership data, shareholder information, or information on voting rights was severely limited. The level of transparency is therefore better, though still inadequate, as a variety of information is sometimes completely unavailable, including financial results, ownership connections, advertising, and funding. Citizens are able to know who controls the largest media companies, but even there the transparency does not approach high levels.

The same is true of some of the foreign-owned media companies. Pro Plus, which broadcasts the television programs POP TV and Kanal A, the package of pay-television thematic channels POP NON STOP and the VOD service Voyo, is owned by CME. It has been transparent about reporting its financial results and ownership changes since 1995 when it began broadcasting, as it has been reporting to relevant American authorities such as the Securities and Exchange Commission. Yet the publication of those same results and ownership changes was either severely delayed or hard to find either through Slovenian authorities' records or the company's Slovenian public relations department.¹⁸³

179. See <http://www.tsmedia.si/> (accessed 25 January 2012).

180. S. Kruhar, "Svoje konkurenčne prednosti gradimo v digitalnem svetu" (We build our competitive advantages in a digital world), interview with Rudolf Skobe, CEO of TS Media, *Marketing Magazin*, October 2011, pp. 14–17.

181. Zakon o medijih (ZMed), Uradni list RS, *Official Gazette*, no. 35/2001, 26 May 2001. See <http://www.uradni-list.si/1/objava.jsp?urlid=200135&stevilka=2043> (accessed 4 March 2011).

182. ZMed-A, Uradni list RS, 24 June 2006.

183. M. Milosavljević, "Slovenija kot most v vzhodno Evropo" (Slovenia as a bridge to Eastern Europe), *Delo*, 21 July 1997, p. 28; see also M. Milosavljević, "Kdo je prava motnja v sistemu?" (Who is the real fault in the system?), *Delo*, 7 February 1998, p. 30.

6.2 Media Funding

6.2.1 Public and Private Funding

There is a problem with the data on public spending and private funding of media in Slovenia, as there are no official records of the net value of advertising in general, in individual sectors (e.g. broadcasting, print, online, outdoor), and from certain sources (e.g. state budget allocations, state advertising). There are estimates of the gross value of advertising, based on official price lists; however, the discounts have increased tremendously in recent years and there can be only imprecise guesses about the real net value of advertising as a whole and within certain media sectors.

A representative of the Mediana agency, which measures the gross value of advertising, says: “We do not even try to estimate the net value, because we are aware that the figure would be way below 30 percent of the gross value. The Slovenian media market has come to the point where the official price lists are no longer valid. It appears that Mediana is the only one who takes them into account.”¹⁸⁴

A similar position is held by Simona Kruhar Gaberšček, the editor of the specialized monthly *Marketing Magazine*, who says that they publish only gross advertising revenues, “and we don’t even know who could provide us with the net value.”¹⁸⁵

Table 14.
Advertising expenditure, gross values, 2008–2010

Media segment	Spending (€m)			Share of total spending (%)		
	2008	2009	2010	2008	2009	2010
Television	285.2	314.1	406.0	55	59	66
Print media*	154.0	142.1	150.8	29	26	25
Outdoor	35.7	37.3	n/a	7	7	n/a
Radio(e)	23.0	23.0	23.1	4	4	4
Online	18.4	18.4	23.7	3	3	4
Other**	6.2	5.7	2.5	1	1	1
Total	522.5	540.6	606.1	100	100	100

Notes: * Print media includes spending in daily newspapers, magazines, newspaper supplements and other types of newspapers

** Other includes cinema and mobile advertising

e: estimate, n/a: not available

Source: Calculations of MDM editors based on data from Mediana agency¹⁸⁶

184. I. Setinšek, “Oglaševanje v letu 2010: ko uradni ceniki ne veljajo več” (Advertising in 2010: when price lists are no use), *Marketing Magazin*, February 2011, no. 357, p. 22 (hereafter, I. Setinšek, “Oglaševanje v letu 2010”).

185. Interview with Simona Kruhar Gaberšček, Editor of *Marketing Magazin*, 23 February 2011.

186. I. Setinšek, “Recesija in oglaševanje v Sloveniji” (Recession and Advertising in Slovenia), *Marketing Magazin*, January 2009, p. 20; I. Setinšek, “Recesija in oglaševanje v Sloveniji” (Recession and Advertising in Slovenia), *Marketing Magazin*, no. 345, February 2010, p. 28; I. Setinšek, “Oglaševanje v letu 2010.”

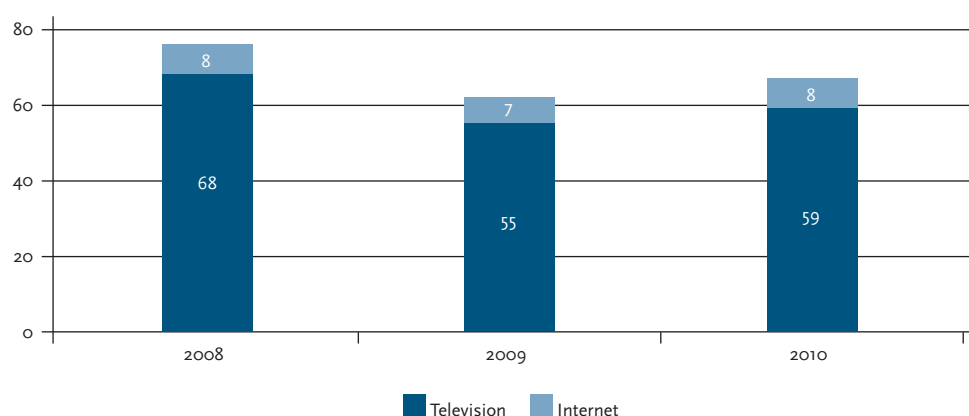
As mentioned above, Mediana estimates that the real net value of advertising represents approximately 70 percent of the gross value of advertising. The gross value of advertising in 2010,¹⁸⁷ which is €606 million, is according to them “depleted,” particularly in television.

Television is the medium where price lists are no longer taken into consideration. High discounts and various unpaid-for adverts are the reason for the gap between gross and net value, which is the largest at this media. Gross value of advertising on television was €406 million, which represents a 67 percent share of the advertising pie.¹⁸⁸

However, according to estimates by CME and Pro Plus, the leading commercial broadcaster in Slovenia, the net value of television advertising in 2010 was only US\$80 million. Thus, the discounts would be closer to 70 percent or even 80 percent of official price lists, and the net value of television advertising would represent only 20 percent of its gross value.

Figure 8.

Net value of television and internet advertising spend* (€ million), 2008–2010



Note: * estimate

Source: CME Annual Report for 2010, pp. 37, 39

An important trend is also the increase of the scope of advertising, although the actual net income does not follow this increase as much as would be expected. According to Mediana, the volume of advertising in 2010 increased by 29 per cent compared with 2009. The increase was particularly drastic in television advertising: “Last year, there were 14.7 million seconds of advertising on all eight monitored channels combined. This

187. For comparison, the gross value (without discounts) of advertising revenue in the media in 2006 was €164.4 million, which was 10.6 percent higher than in 2005. Television’s share of the gross advertising pie was 30.7 percent. Half of the advertising pie belonged to the print media (dailies: 29.7 percent; other print media: 17.7 percent), and outdoor media got 13.6 percent of the pie. Radio stations (7.3 percent) and online media (about 1 percent) were not as important actors in the advertising market in 2006. See M. Jančič, “Dnevnikarji lovijo televizijo” (Daily newspapers are catching up with television), *Marketing Magazin*, January 2007, p. 23.

188. I. Setinšek, “Oglaševanje v letu 2010.”

means that we would spend 4,097 hours or 11 hours a day watching all the advertisements on all these channels. In 2009 there were 7.4 hours of advertising time a day.”¹⁸⁹

This means that there was an almost 50 percent increase in the amount (of time) of advertising on television from 2009 to 2010. As the actual television advertising spending demand increased by approximately 8 percent year-on-year, according to estimates by CME¹⁹⁰ and Pro Plus,¹⁹¹ this means that the viewers were exposed to a radically increased amount of advertising on television in order to achieve the broadcasters’ financial aims.

Commercial channels can broadcast a maximum of 12 minutes of advertising per hour. Overall advertising on public television channels cannot exceed nine minutes per hour, but there is also an additional ad limit of seven minutes per hour between 6 p.m. and 11 p.m. on public television.

In general, and as can be seen from the above data, the size of the market reflects the (possible) advertising revenues. Following the rise of GDP, the advertising market has significantly developed since the start of the post-socialist transition and the switch to a market economy. However, it is still relatively small, as a result of natural limits. (See section 7.3.1 on the role of state advertising in the media.)

In spite of the small market, there are more than 1,438 media outlets registered in Slovenia, including 193 online and 42 multi-platform media.¹⁹² However, there are only a few financially relevant media companies. The saturation and a small market means that in broadcasting, for example, in spite of the fact that there are 36 television stations, there are only two more or less strong players according to market shares, turnover, and the ability to adopt new digital technologies.

These are the public service broadcaster RTV SLO and the commercial broadcaster Pro Plus. RTV SLO is at the top of the list with a turnover of €133.5 million in 2010, an increase of 3.6 percent compared to 2009 (when turnover reached €128.8 million); 64.9 percent of this came from license fees paid by radio or television set owners, as defined in the Law on RTV SLO. Advertising revenue was €19.8 million, or 14.8 percent of total revenue.¹⁹³ It is followed by Pro Plus, where the major portion of income derives from advertising. Pro Plus took €64.7 million in ad revenues in 2010, a slight growth over the previous year, according to data from CME.

Among the top five media companies according to turnover are also three print media companies: Delo, Dnevnik, and Večer, with income in 2010 of €50 million, €28.2 million, and €16 million, respectively.

189. I. Setinšek, “Oglaševanje v letu 2010.”

190. I. Setinšek, “Recesija in oglaševanje v Sloveniji” (Recession and Advertising in Slovenia), *Marketing Magazin*, no. 345, February 2010, p. 28.

191. CME *Annual Report for 2010*, p. 37.

192. “Razvid medijev” (Media record), Ministry for Culture of Republic of Slovenia, 2011. See http://www.mk.gov.si/fileadmin/mk.gov.si/pageuploads/Ministrstvo/Razvidi/razvid_medijev.pdf (accessed 5 March 2011).

193. RTV Slovenija, “Annual report 2010—RTV SLO.” See http://www.rtvsl.si/files/letno_porocilo/rtv-ang-web.pdf (accessed 20 January 2012).

It is difficult to assess the ratio of private to public funding of media as there is no clear distinction or methodology to measure this.

6.2.2 Other Sources of Funding

There were no important new sources of funding, public or private, that have appeared in the media in the last five years. As there is no great Slovenian diaspora, there was no relevant diaspora funding of the media. There were also almost no new forms of advertising or subscriptions. There were some attempts with new subscription packages, such as packages with newspapers and mobile operators (*Dnevnik* with Si.Mobil in autumn 2010, *Finance* and Mobitel/Telekom Slovenia in March 2011, both of them in connection with an included or discounted tablet—Samsung Galaxy with the former, Apple's iPad with the latter). However, the financial results of these attempts remain to be seen.

For years (from 2003), the daily paper *Finance* has been practicing a business model according to which its online content is accessible to three different groups of readers:

- “guests,” who can read only the content prepared by the website team which is not included in the print version of the daily;
- “free registered users,” who can read all the posts from the print version, published the previous week, but can access exclusive stories and the archive beyond one week;
- “subscribers,” who can access all the content upon payment.

The paid-for articles can be read upon the purchase of so-called tokens, by credit card, or with a mobile phone. The editor of *Finance* explained in an interview that the main income of their online edition is still from advertising, as they manage to get only around €520 from the online purchase of articles.¹⁹⁴

The website Pozareport.si also attempted to introduce certain paid content, with a limited pay-wall. However, this content represented a small portion of this website's overall production and it seems that the financial returns of this attempt were not encouraging. After a certain period of testing, the owner abandoned the initial idea and introduced a system that allows the entire article to be read, but only if the user enters key words in a special window on the basis of a mechanism called Double Recall, used also by some other providers of online content. The key words are often, but not always, sponsored and the sponsor pays the publisher a certain financial contribution for each entry.

In 2011, major newspaper publishers decided to become part of the combined pay-wall model in cooperation with the Slovak company Piano Media. The publishers include Delo, *Dnevnik*, *Večer*, and Pozareport. The main exception is the public broadcaster, as the financing of its website is already included in the license fee. The pay-wall was put in effect after 20 February 2012, with a weekly subscription of €1.99, a monthly subscription of €4.89, and an annual subscription of €48.90. Piano Media will keep 30 percent of the

194. I. Vobič, “Konec odprtega spleta tudi v slovenskem novinarstvu” (The end of open net in Slovenian journalism as well), *Medijska preža*, May 2011 (39). See <http://mediawatch.mirovni-institut.si/bilten/seznam/39/splet/> (accessed 18 July 2011).

subscription fee, with the rest divided among the participating media, taking into account which media the subscriber joined the package through and how much time he or she spent on particular pages. According to initial plans and estimates, 1 percent of Slovenian web users would be willing to pay for this news selection in a year, increasing to 5–15 percent by 2017.¹⁹⁵

In general, the most successful new media content provider is Pro Plus with its websites such as 24ur.si. Revenues generated by this new media segment of Pro Plus in 2010 were derived almost exclusively from advertising. The popularity of the websites derives from the television channel's success, which in turn can be attributed to reality shows (such as "Big Brother") and the tabloid content that it carries, and also to strong cross-promotion between the company's platforms. In the fourth quarter of 2010, Pro Plus took the first steps toward paid content in order to increase the number of revenue streams. It launched a VOD web service called Voyo, which is part of a wider online strategy of Pro Plus's owner, CME, and which is intended to be implemented in other countries it operates in as well.¹⁹⁶ The success of this service (monthly access is priced at €5) will only be known in the coming years. In September 2011, Pro Plus started another subscription-based service—pay-television POP NON STOP—offering six new thematic television channels. The monthly subscription was set at €11.99.¹⁹⁷ So far, both of these paid-for packages have shown limited financial results.

The new sources of revenue have thus not shown to be either successful or sustainable in terms of continuous and steady income that would bring adequate financial results to fund news production and improve the financial sustainability of the news media. In general, however, services such as Piano, Voyo, and POP NON STOP show that the Slovenian media increasingly focus on paid-for content and subscription models, diversifying their revenue streams, and increasingly taking into account the end users (instead of advertisers) for their financial sources and income.

In general, the economic crisis has hit advertising and media revenues in the past three years. Thus, the financial resources that proved to be most helpful or sustainable for the media were the licensing fee for the public broadcaster and subscriptions for newspapers. Due to the economic crisis and negative trends in advertising, a number of media were closed down or restructured, including in broadcasting (e.g. "Info TV," the news and entertainment program on Pink Slovenija), free newspapers (e.g. *Dobro jutro*, *Total tedna*), newspaper supplements (e.g. "Good Life" and "D" in *Delo*; also, "Polet" in *Delo* is now published as a bi-weekly supplement instead of weekly, as in previous years), and magazines (e.g. *Mag*, *Samaritan*). Some media have cut their content production (such as the Slovenian-licensed *Cosmopolitan*) or become free supplements of newspapers (e.g. the magazine *Gloss Express*), and there is also a growing dependence of small media on agency news (mostly provided by the state-owned Slovenian Press Agency (*Slovenska tiskovna agencija*, STA)).

195. Al. Ma., "Odziv na naročnino za spletne medije Piano prinaša zadovoljstvo" (First responses on subscriptions for online media are positive for Piano), MMC RTV SLO, 23 January 2012 (hereafter, Al. Ma., "Odziv na naročnino za spletne medije Piano prinaša zadovoljstvo"). See <http://www.rtvlo.si/slovenija/odziv-na-narocnino-za-spletne-medije-pianu-prinasa-zadovoljstvo/275347> (accessed 24 January 2012).

196. CME *Annual Report for 2010*, p. 15.

197. See <http://www.telemach.si/sl/zasebni-uporabniki/televizija/digitalna-televizija/pop-non-stop> (accessed 20 January 2012).

Generally, television is extremely strong in terms of its share of all advertising income. In particular, Pro Plus—as the parent company that broadcasts the channels POP TV and Kanal A, the pay-television package of six channels Pop Plus, the online VOD package Voyo, and a number of the most popular Slovenian websites (including the most popular site, 24ur.com, and others such as Zadovoljna.si, Cekin.si, and Moskisvet.si)—is the strongest company in Slovenia in terms of advertising revenue. Its power in the advertising market allows economies of scale which concentrate its power and influence on the market even more, and leave other media with even less advertising revenue (compared with its ratings in terms of broadcasting or reach in terms of print). This power was among the reasons given for the decision of Modern Times Group to abandon its Slovenian plans with its company Prva TV and its channel TV3 in January 2012 and to close down the company and channel completely.¹⁹⁸

The advertising dominance by Pro Plus is leading other media companies to look for other ways to attract advertisers, mostly through seeking similar benefits of economies of scale. A number of radio stations have, for example, connected in two different advertising packages: Super Slovenija, which is run by Radio Center and 10 other radio stations,¹⁹⁹ and Premium package by Radio Ena and other radio stations.²⁰⁰

6.3 Media Business Models

6.3.1 Changes in Media Business Models

Most of the media have in the past few years begun to experiment with multimedia, additional internet projects, and related attempts to monetize these new projects and content.

The multimedia aspect of online media is also acknowledged in research by Gemius:

The newest trend within the evolution of the biggest Slovenian portals is fast developing multimedia content. This has obviously been initiated by the market leaders, but local experts point to 24ur.com as a forerunner of these changes. Competitive websites were forced to follow its launch of professional online television.²⁰¹

198. B. Petkovič, “Prostora je za štiri komercialne televizije” (Room for four commercial television stations), *Dnevnik*, 10 January 2012. See http://www.dnevnik.si/novice/aktualne_zgodbe/1042501068 (accessed 11 January 2012).

199. “Novi radijski oglaševalski paket” (New advertising package on radio), *Večer.com*, 23 January 2012. See <http://web.vecer.com/portali/vecer/v1/default.asp?kaj=3&cid=2012012305737537> (accessed 25 January 2012).

200. S. Petrov, “Radio 1 in Radio City snujeta skupno ponudbo za zakup oglašnega časa” (Radio 1 and Radio City are planning a shared offer for media buying), *Finance*, 12 October 2011. See <http://www.finance.si/326603/Radio-1-in-Radio-City-snujeta-skupno-ponudbo-za-zakup-oglasnega-%C4%8Dasa> (accessed 27 January 2012).

201. Gemius and IAB, “Do you CEE? Interactive Overview of Central and Eastern Europe Markets 2009,” p. 140. See <http://www.slideshare.net/rabbitblog/iabgemius-do-you-cee-interactive-overview-of-central-and-eastern-europe-markets-2009> (accessed 17 May 2012).

However, the main problems are the size of the market, which does not provide the advantages of economy of scale, and the lack of business success of online media and online departments of other media. In the latter, Slovenia is of course no different from other countries, as there are few cases worldwide of financially sustainable business models of online and new media.

The problems with the lack of success of online media sectors are further emphasized by the economic crisis, which has decreased the advertising and newsroom budgets of all media. In addition to that, and despite the period of economic risk, some important print media organizations (i.e. Delo, Dnevnik, and Žurnal Media) decided to make big investments in reorganizing production and restructuring media work just before the start of the global economic crisis, trying to optimize human resources, rationalize the production process over both media platforms, and enhance synergy between outlets. The process of reorganization is continuing despite the decline of income and other financial problems of these companies, and despite the fact that the recent level of reorganization has not brought visible results in terms of increased or stabilized advertising income, sold circulation, or improved credibility and reputation.

As mentioned in section 6.2.2, the media began attempting to find new sources of funding and new, better business models. These include paid-for content online (e.g. Piano and Voyo) and in broadcasting (e.g. POP NON STOP at POP TV), and new promotional packages, tying newspapers to new media, particularly mobile operators and tablets. However, none of these attempts has brought visible results or proven to be successful so far, further increasing the dependence of the media on existing sources.

In terms of broadcasters, particularly television, it is clear that the transition to digital broadcasting could offer new business opportunities. It also brings some concern for the public broadcaster. Regarding the likely development of the public service programming and business models in the digital age, the former Program Manager of TV SLO, Jože Možina, said that: “We have to consider alternative ways of financing because the public financing will reduce. In the future paying subscription won’t be bound to owning a television receiver but to terminal IT equipment.”²⁰²

This fear that the public broadcaster would be left without adequate financial resources in the near future was reflected in the opinion of the Director of the Transmitters and Communications Service of RTV SLO, Miran Dolenec:

The future, as brought by the digital technology, is namely also pay television. We are planning to establish a number of multiplexes, which would bring our viewers even better offer of the programs. Since some of the programs would be coded, the viewers would need to get a card with which they would also access free programs. It is important that the subscription for the terrestrial signal is much lower than the one for the cable delivery, at least by 50 percent.²⁰³

202. Interview with Jože Možina, Program Manager of TV SLO, Ljubljana, 13 July 2007.

203. B. Petkovič, “Osem milijonov evrov za digitalni preklop” (€8 million for digital switch-over), *Dnevnik*, interview with Miran Dolenec, Director of the Transmitters and Communications Sector, RTV SLO, 1 December 2010. See http://www.dnevnik.si/novice/aktualne_zgodbe/1042407072 (accessed 1 December 2010).

6.4 Assessments

Although digitization, particularly internet and electronic communication, opened additional communication channels and decreased the costs of production, it seems that it did not have much effect on monopolies and dominant positions in the media market. Also, although general transparency of ownership improved in the past five years, this change is not related to digitization.

At the same time, there are new cases of non-transparent or suspicious ownership (*Slovenski tednik*, *Ekspres*, and, according to some, the failed *Dobro jutro*) or attempts to gain ownership of media (e.g. 3lan over the newspaper *Večer*), which casts doubt over any suggestion that digitization has helped to increase or influence the transparency of ownership of the media in the past five years.

In any case, further transformations of the dynamics in the media environment are likely, but hard to foresee. At the time of writing, two out of three largest newspaper publishing companies, owning three of the largest daily newspapers, are for sale. The sale process has been dragging on for months.²⁰⁴ Changes of media ownership are continuous and often opaque. At the same time, traditional media organizations are in desperate search of a new economic model (including new subscription and paid-for models) to compensate for the fall in revenue resulting from declining circulations and readerships.

In print, one of the first goals of media companies is to find a way to make web users pay for some of the online content while remaining loyal to their news websites, despite limited access to some sections. Most of the content published in the printed media was available free online, often including even newspaper archives, until 2012. Previous attempts to establish paid-for content and pay-walls, which were not successful, were replaced by a single system, called Piano, in February 2012. By the time of writing it had been adopted by 11 online media, which is a fifth more than in the similar period in Slovakia, where the system was introduced first.²⁰⁵ If the system achieves the expected success, it will help to stabilize the business models of the print media and contribute to maintaining the quality of content, as they will not be able to offer content free in the long run.

Broadcasters are also searching for additional income from subscription-based services, either on-demand or linear. Such was the case of the television channel POP BRIO, part of the Pro Plus company, which was launched as a cable channel in autumn 2010 and later offered as a pay channel with five more new thematic channels bundled in the POP NON STOP service. So it seems that television viewers will need to pay more as the advertising-based model of general television broadcasting remains successful, but not successful enough to enable the sustainable growth of income and profits sought by commercial television companies.

204. V. Tekavec, "O prodaji Dela in Večera več znanega prihodnji teden" (More about the sale of Delo and Večer will be known next week), *Delo*, 25 February 2011. See <http://www.delo.si/clanek/141762> (accessed 27 February 2011).

205. Al. Ma., "Odziv na naročnino za spletne medije Pianu prinaša zadovoljstvo."

Print media are, on the other hand, pointing out that their readership is still extremely large, both in print, but also online. In January 2012, the National Readership Research has for the first time published combined data of newspaper readership of both print and online versions, showing how many people print media is actually reaching and emphasizing the better educational values and economic power of print media compared with television.²⁰⁶

At the same time, it is problematic that the executives of the public broadcaster have, on some occasions, discussed similar business changes and the introduction of pay-television services, in view of its protected status as the public service broadcaster, charged with operating in the public interest, for all citizens, regardless of their ability to pay for specific content.

206. G. Novkovič and P. Movrin, "Milijon bralcev Žurnala24" (A million readers for Žurnal24), *Žurnal24*, 26 January 2012. See <http://www.zurnal24.si/milijon-bralcev-zurnala24-clanek-146803> (accessed 26 January 2012).

7. Policies, Laws, and Regulators

7.1 Policies and Laws

7.1.1 Digital Switch-over of Terrestrial Transmission

Access and Affordability

The Digital Broadcasting Act (2007) set the switch-off date for the end of 2010 without any conditions and affordability requirements that had to be met before analog signals could be switched off. The wording of the statutory provision setting the date was ambiguous and allowed for an interpretation that two or more potential analog switch-off dates were possible, but there was not a large gap between them, as the first option was 1 December and the last one 31 December.

The act, together with the national Strategy for the Transition from Analog to Digital Terrestrial Broadcasting (2006)²⁰⁷ (hereafter, the Transition Strategy) envisaged the introduction of help schemes for the socially disadvantaged by a set of general provisions. The Transition Strategy, for instance, stressed: “The objective of the Republic of Slovenia is that the transition to digital broadcasting represents an affordable option for the greatest possible portion of the population. It is especially important to ensure that the people, who are interested only in the reception of public broadcasting programs, get access to digital services without disproportionate costs.”²⁰⁸

According to the Digital Broadcasting Act (2007), adoption of digital broadcasting may be encouraged by the co-financing of the purchase of digital television receivers by socially disadvantaged consumers. The law stipulates that the co-financed receivers must be technology-neutral and use open standards of interactivity.

Nevertheless, until the very last months before the analog switch-off, the way of implementation of this and other similar provisions was not known. That resulted in uncertainty, speculation, and fears that many people would not have access to a television signal at the time of the analog switch-off.

207. “Strategija Republike Slovenije za prehod z analogne na digitalno radiodifuzijo” (Strategy of the Republic of Slovenia for Switching from Analog to Digital Broadcasting) (hereafter, Strategija Republike Slovenije za prehod z analogne na digitalno radiodifuzijo”). See http://ec.europa.eu/information_society/policy/ecomm/doc/todays_framework/digital_broadcasting/switchover/si_s_mekicar_strategija_a_d_prehoda_12_1_sm_lektorirano.pdf (accessed 28 March 2011).

208. “Strategija Republike Slovenije za prehod z analogne na digitalno radiodifuzijo.”

In summer 2010, the Ministry of Higher Education, Science, and Technology collected data on socially disadvantaged people who were entitled to free digital decoders. The list of socially disadvantaged consumers, who were exempt from paying the public service broadcasting license fee, supplemented by information on platforms they use for reception of the television signal, was considered as the base of eligible people.

About two months before the switch-off date, the ministry managed to choose via a public tender a provider of 4,000 STBs intended for them.²⁰⁹ The receivers (at the total cost of €140,000) were distributed to beneficiaries by mail. Volunteer fire brigades and pensioner organizations responded to the ministry's request for assistance and offered help with the installation of receivers especially for elderly people or those living in remote and rural areas.

Subsidies for Equipment

The criteria for the eligibility for free STBs were similar to those for the right to be exempt from the obligation of paying the RTV SLO broadcasting fee. There are a few categories of beneficiaries of this relief, according to the Law on RTV SLO (2005):

- socially deprived: recipients of social assistance or income support;
- disabled people with 100 percent physical impairment or with less than 100 percent physical impairment together with recognized financial supplement for home care;
- persons with permanent hearing loss.

For the selection of those who needed a digital terrestrial receiver, the Ministry of Higher Education, Science, and Technology used the RTV SLO's database, and sent a questionnaire to 8,200 beneficiaries, asking how they were receiving their television signal and whether they would need assistance with the installation of the digital receiver. About half of the polled beneficiaries were found to be eligible for a free digital receiver.

By December 2010 the ministry had distributed all the 4,000 purchased digital receivers, but since the financial crisis led in a short time to an increase in the number of planned beneficiaries and a new group of people exempted from license fee payment (the disabled) was identified, the amount of STBs purchased by the ministry turned out to be insufficient. The ministry received 781 new applications from the disabled, and it sent additional 868 questionnaires to people who became beneficiaries of the fee payment exemption in the last months of 2010. The ministry reimbursed the remaining eligible people, identified in the second call for their expenses for digital receivers, by up to €50.²¹⁰ That amount at that time equaled the price of a fully suitable digital receiver.

209. M. Ropret, "Novi zapleti pri prehodu na digitalno televizijo" (New complications for digital switchover), *Delo*, 13 October 2010, p. 10.

210. M. Ropret, "Manj težav kot v drugih državah" (Fewer problems than in other countries), *Delo*, 17 December 2010, p. 10.

According to the statistics of calls to a call center managed by APEK,²¹¹ the majority of the reported difficulties with digital signal reception immediately after the analog switch-off were caused by technical problems, most of them arising from the concomitant change of one of the RTV SLO's major transmission channels in the eastern part of the country, with the others resulting from wrong antenna settings. There were not many reported cases of people who were not able to access DTT because of their inability to afford the equipment.

Hence we can conclude that the assistance scheme, which provided for the distribution of free digital STBs or for the payment of an equivalent sum, has been, although implemented very late, helpful and has significantly contributed to a successful transition to DTT in Slovenia.

Besides, the Ministry of Higher Education, Science, and Technology also provided a co-financing scheme for the costs of analog television networks during the time of simulcasting. The ministry granted subsidies to television broadcasters in accordance with the "*de minimis*" rule (EC 1989/2006 art. 87, 88), stipulating that the amount of a subsidy should not exceed €200,000 per single applicant in the period of three years and should not restrain competition in the relevant market.

The total budget was split into two parts: €288,409 was foreseen for 2009 and another €288,409 for 2010. Since the money was aimed at convincing the most popular commercial television broadcasters to start broadcasting on the digital terrestrial platform, only those television broadcasters which were still using the analog spectrum, while holding also a digital broadcasting license and having technical possibility to enter the multiplex, could tender.

Legal Provisions on Public Interest

Neither the Digital Broadcasting Act (2007) nor the Transition Strategy (2006) pay considerable attention to other issues of public interest. Both documents are focused mostly on spectrum issues of the digital switch-over process. The Transition Strategy, for instance, justifies the obligatory transition to DTT with economic and technical arguments in the first place, but it acknowledges also some issues of public interest in the media landscape, such as the importance of media plurality and diversity of media content; the role of local media; and promotion of the Slovenian language, culture, and creativity.

The Digital Broadcasting Act, on the other hand, gives RTV SLO the right to acquire one national digital multiplex, without public tender. While stipulating that the multiplex should be used for public service broadcasting, it also enabled the public service broadcaster to offer the free capacities of the multiplex on the market (Art.15). As shown in previous chapters, this resulted in a rather unexpected and vaguely justified decision by RTV SLO not to fill the volume of the multiplex exclusively with its own services, but to market it, among others, to the most watched commercial television channels, which are RTV SLO's rivals on the television advertising market.

211. APEK's Report on the Functioning of the Temporary Call center Be Digi!, unpublished material, 2010.

The case, which we have presented more comprehensively in section 5, is just one example of the insufficiently thought-out statutory provisions governing the transition to digital broadcasting, especially as far as the issues of public interest are concerned. Section 5 offers an insight also to some other examples of the incompleteness of the legal framework related to the digital switch-over.

Public Consultation

The government adopted the Transition Strategy on 15 February 2006. Before that, the draft strategy had been publicly presented on 14 December 2005 in a well-attended debate, involving the representatives of the broadcasters, cable and mobile operators, and providers of multimedia content. The voice of the citizens, on the other hand, was not significantly represented at the public consultation, mostly due to the lack of familiarity with the issues and the incapacity to reflect on future consequences.

As mentioned in section 5, the issue of the affordability of the equipment for reception of DTT was raised a little bit later, in October 2006, by a group of retired technical managers of RTV SLO, who got a lot of media attention.²¹² But over the years the price of MPEG-4 STBs has fallen to a reasonable level, and the concerns have faded and finally disappeared from the media agenda.

7.1.2 The Internet

Regulation of News on the Internet

News delivery on the internet and mobile platforms is not regulated by an internet-specific regulation, just by a set of general rules in the Mass Media Act (2006) and the Penal Code (2004, amended in late 2011),²¹³ such as a ban on incitement to hatred or discrimination, the obligation to respect the right of reply and correction, rules on the protection of minors, and other requirements applicable to all kinds of media outlets.

In the study of the impact of regulating the non-linear services, required by the Audiovisual Media Services (AVMS) Directive, on Freedom of Speech in Post-Communist Democracies of Central and South Eastern Europe, initiated by the South East European Network for Professionalization of Media (SEENPM), and implemented in October 2007–March 2008, the author of the Slovenian Country Report, Brankica Petković, summarized that the need to extend traditional media regulation has been underlined several times in Slovenia, mostly with regard to content published on the internet or provided on demand via mobile phones.

212. M. Ropret, "Odločitev za standard MPEG-4 je bila pravilna," *Delo*, 19 May 2009, p. 17.

213. English version of the Slovenian Penal Code from 2004, available at <http://www.oecd.org/dataoecd/50/18/34287694.pdf> (accessed 27 March 2011).

Points were made by the human rights ombudsman in 2005²¹⁴ and by civil society groups dealing with protection of minors in 2005 and 2006, based on various cases of dissemination of content containing hate speech, pornography and extreme violence through Internet publications which had or hadn't been registered as media outlets. The main point has been how to establish a transparent and efficient regulatory framework, including possible co-regulatory or self-regulatory measures, providing respect for human dignity, non-discrimination and protection of minors in the media, including those disseminated through the Internet. The debates included the dilemma about when content published on the Internet can be considered to be subject to existing media regulation, and how this regulation can be efficiently implemented.²¹⁵

Meanwhile, the introduction of the AVMS Act in late 2011 has brought some development, with stricter rules on the protection of minors extended also to on-demand audiovisual media services, regardless of the platform, including mobile. Besides, the act introduced special provisions for the operators of electronic communications demanding from them consistent application of technical protection to audiovisual media services that may harm children.

It is important to mention that the AVMS Act strictly applies only to the services that meet the criteria for audiovisual media services, as defined by the European Directive on Audiovisual Media Services (2007).²¹⁶ Only television-like economic services are subjected to regulation; others, like blogs and other non-commercial forms of expression and public intervention of individuals, are exempted from regulation.

Legal Liability for Internet Content

In general, the legal liability for internet content rests with the author/poster. Only in the case of internet publications which meet the definition of so-called electronic publications, as defined in the Mass Media Act (2006) ("websites that meet the definition of media"), does liability apply also to the publishers, as is the case with traditional media. However, as many blogs and other websites offer some sort of news and have some sort of editorial policy or just editorial intervention (which are among the principal conditions in the Mass Media Act), the distinction between "mass media" as defined by law and other websites is increasingly blurred. This is of course not just a problem in Slovenia and for Slovenian authorities, and questions such as who is a journalist today and whether the protection of sources can be also claimed by bloggers are posed more and more often, along with calls for other legal reforms in this area.

214. See "Ombudsman Targets Online Hate Speech," press release, Republic of Slovenia Human Rights Ombudsman, 6 September 2005. See <http://www.varuh-rs.si/medijsko-sredisce/porocila-za-javnosti/novice/detajl/ombudsman-targets-online-hate-speech/?L=6&cHash=4cdef27f16> (accessed 27 March 2011).

215. B. Petković, "Country Report: Slovenia," in *The Impact of Regulating On-demand/Non-linear services by the EU Audiovisual Media Services (AVMS) Directive on Freedom of Speech in Post-Communist Democracies of Central and South Eastern Europe*, SEENPM, 2008 (hereafter, B. Petković, "Country Report: Slovenia").

216. The consolidated version available on <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2010:095:0001:0024:EN:PDF> (accessed 5 August 2012).

However, as pointed out in the previous section, neither the Mass Media Act (2006) nor the AVMS Act (2011) introduced sanctions for hate speech. Therefore such violations can only be sanctioned in a criminal court, and this is as true for traditional media as it is for digital media.

The point that Brankica Petković highlighted in her 2007 report is still relevant:

The experience with the Slovenian traditional media regulation—which is also supposed to apply content-based regulation to internet media outlets (not to the internet as such, but to those internet publications registered as media outlets)—shows that there is a need to invest more effort (more than the introduction of simple provisions in the law) in establishing an efficient normative system and environment, including clear and consequential rules and sanctions, independent and strong regulators, complementary self-regulatory and co-regulatory mechanisms and empowering citizens to have literate participation in the system.²¹⁷

7.2 Regulators

7.2.1 Changes in Content Regulation

The main bodies dealing with media policy and regulation are the Media Inspector and Directorate for Media within the framework of the Ministry of Education, Science, Culture, and Sports; APEK; and the Broadcasting Council (*Svet za radiodiužijo*, SRDF).

The Directorate for Media supervises the implementation of the Mass Media Act (2006), which is the fundamental legal document governing both press and electronic media. The Media Inspector, based within the ministry, deals with breaches of the Mass Media Act on his or her own initiative or after complaints from members of the public. A complaint cannot be anonymous. Until the recent adoption of the AVMS Act, which gave complete power for regulation of the audiovisual media services to APEK, the Inspector's responsibilities were interwoven with those of the regulator both in radio and television broadcasting.

As a converged authority, APEK is not only the regulator of the broadcasting sector but also responsible for the regulation of the electronic communications and postal services markets. By the amendments of the Act on Government of the Republic of Slovenia (2010), APEK also took over some tasks of regulating the railway infrastructure, that is, the Ministry of Transport, with the support of the former Government, has delegated to it some competencies of the rail regulator. The decision was encouraged by the European Commission, which started proceedings against Slovenia for inadequately regulating the rail sector.²¹⁸

217. B. Petković, "Country Report: Slovenia."

218. B. Hren, "Premier Borut Pahor odločil AT Kearney, prihaja Hartmut Mehdorn" (Prime minister Borut Pahor cancelled AT Kearney, Hartmut Mehdorn is coming instead), *Dnevnik*, 3 April 2010. See http://www.dnevnik.si/poslovni_dnevnik/1042349849 (accessed 20 March 2011).

From 2001 until 2011, there were no substantial changes in APEK's remit related to electronic media. Its most important tasks remained those deriving from the Electronic Communications Act, which provides a framework for radio spectrum management and licensing, and the tasks defined in the Mass Media Act, according to which APEK was responsible for radio and television licensing and for monitoring the compliance of broadcasters' content output with legal restrictions and requirements. By law, APEK is also in charge of technical and administrative support to the Broadcasting Council, which is an independent expert body that is, among other things, responsible for setting content requirements and selection criteria on public tenders for analog terrestrial radio broadcasting frequencies and on public tenders for the right to broadcast on the DTT platform.

The Mass Media Act, which in 2001 replaced the Act on Public Media from 1994, was first changed in summer 2006, when, among other new features, it introduced a licensing regime for television channels that broadcast on the digital terrestrial platform.

According to the act, APEK prepares public tenders for broadcasting in close cooperation with the Broadcasting Council. In the case of radio frequencies for analog terrestrial radio and of television broadcasters' rights to broadcast their television channels on the DTT platform, APEK can issue a license only upon binding instruction of the council. On the other hand, selection of a network/multiplex operator does not foresee any role of the council, and that is why in such cases APEK prepares the tender and issues licenses independently.

After parliamentary elections in 2008, the newly formed government started an extensive process of revision both of the Mass Media Act (the general act for all media) and the Law on RTV SLO, regulating the Slovenian public service broadcaster.

The attempt to change the Law on RTV SLO—mostly including changes in organization and structure—failed due to the referendum, held upon the initiative of the opposition parties in December 2010. The law was rejected with 72.6 percent votes against and only 27.4 percent in favor, with an extremely low voter turnout. Although only 250,079 voters (14.6 percent) took part in the referendum,²¹⁹ the result was legitimate, as Slovenian legislation does not specify the minimum participation.

The fate of the RTV SLO bill did not bode well for the prospects of the draft Mass Media Act, which was intended to modify, for example, the right of reply and correction; change rules on subsidizing media outlets; promote some new mechanisms for protection of freedom of the press; introduce the establishment of the Media Council; and incorporate the AVMS Directive (2007) into national law. As far as the transposition of the directive is concerned, Slovenia has been really late. The deadline for transposition expired in December 2009, and the European Commission is pursuing an infringement procedure against Slovenia.

219. "Referendum: Volivci prepričljivo zavrnili zakon o RTVS" (Referendum: voters decisively reject the Law on RTVS), *Dnevnik*, 12 December. See <http://www.dnevnik.si/novice/slovenija/1042409670> (accessed 29 March 2011).

The expectations turned into reality on 15 July 2011, when the proposal of the new Mass Media Act did not pass the first parliamentary reading, with 39 votes against and 38 votes in favor. The 188-page proposal did not enjoy large public support. Most attention during the public discussion focused on the provisions aimed at fostering editorial and journalistic autonomy, the media co-funding mechanisms, and the obligatory quotas of Slovenian music in radio and television programming. The most controversial issue turned out to be the provision aimed at the break-up of radio networks into single radio stations. The provisions, intended for the transposition of the AVMS Directive into national law, on the other hand, were almost taken for granted and did not induce any major reaction.

The then Ministry of Culture submitted the proposal of the AVMS Act for governmental approval immediately after the failure of the Mass Media Act and without prior presentation to the public, justifying the hurry by explaining that the AVMS provisions, which needed to be transposed in the shortest time possible, had already undergone public consultation as a part of the rejected proposal but unlike many other provisions were not a subject of controversy.

The proposal was, however, somewhat different from the equivalent provisions of the rejected law, as it also allowed product placement in services of RTV SLO and did not aim to reduce the allowed advertising quotas for the public service broadcaster. Nevertheless, during parliamentary procedure it was amended by the provisions, resulting in lower advertising quotas in the public service broadcaster's services.

From the regulators' point of view, the major change brought by the new law was a new position of APEK, which took over the whole regulation of the audiovisual media services that was required by the AVMS Directive. The regulators' powers substantially increased, as it gained inspectorate powers and powers to issue financial sanctions. In addition, APEK was also given the power of collecting fees from the audiovisual media services providers. The collected money will serve for financing the APEK's activities in the audiovisual media sector.

7.2.2 Regulatory Independence

In recent years, and until the confirmation of a new government in February 2012, a number of authorities and bodies were directly or indirectly involved in the regulation of the digital environment in Slovenia. The major ones were:

- the Ministry of Culture (as of February 2012 integrated into a newly formed Ministry of Education, Science, Culture, and Sport);
- the Ministry of Higher Education, Science, and Technology (also integrated into the new Ministry of Education, Science, Culture, and Sport; although its Department of Technology, which is responsible for the development and construction of broadband networks, was integrated into another newly established Ministry of Infrastructure and Space);
- the APEK; and
- the Broadcasting Council.

The ministries have general policy-setting powers. The ministry responsible for culture has also powers of sanction, as the Inspectorate for Culture and Media is situated within its organizational structure. In electronic media, the ministry shares the power of sanction with APEK, a converged regulatory authority, with broadcasting regulation among its powers.

Until the adoption of the AVMS Act, a rather controversial characteristic was that the Ministry of Culture held greater powers of sanction in television and radio content regulation than the regulator itself. According to the Mass Media Act (2001, 2006), only the Inspectorate could impose fines, and the regulator only warnings—and only in case of repeated violations could it suspend or revoke the broadcaster's licenses. So the powers were divided. The ministry had its own procedures and mechanisms, as did APEK. The problem was that both sanctioning powers applied to the same type of breaches and so the violators could be sanctioned by both institutions. As explained above, the AVMS Act gave more power to APEK and eliminated this overlap of powers in the field of audiovisual regulation, while the radio broadcasting regulation due to the fallen Mass Media Act remained in the old framework.

The regulator has a financial autonomy, as it is not funded from the state budget, but from the fees of the broadcasters, operators of electronic communications, and other entities it regulates. The regulator's autonomy is further supported by the fact that no institution, apart from the Administrative Court, has the power to overturn its decisions. The court can cancel APEK's decision and remit it to the regulator for a new decision, or it can replace the decision, provided that the conditions of the Administrative Dispute Act are met. However, due to the fact that the regulator has an individual decision-making organ, embodied in the Director General, who is appointed by the government, APEK's independence was at stake on many occasions.

Incidents and complications over the dismissal of one of the former APEK Directors General in November 2009, and the subsequent criticism of the European Commission, resulted in the adoption of amendments to the Electronic Communications Act (2006) in 2011, especially to the provisions governing the appointment and dismissal of the regulator's executive.²²⁰

The Broadcasting Council was established by the Mass Media Act in 2001 as an independent expert body, which is involved in many procedures, conducted by APEK. It consists of seven members, appointed by Parliament. Funds for its work are provided by APEK, as well as technical, expert, financial, and administrative support. As mentioned in section 7.2.1, one of the council's most important roles with far-reaching consequences for the broadcasting market is its responsibility for deciding on content requirements in tenders for radio frequencies. The last proposal of the new Mass Media Law envisaged replacing the current Broadcasting Council with a newly established Media Council, with broader powers. But as the proposal recently failed to gain sufficient support in Parliament, no changes of the council's role are expected in the near future.

220. "Odbor DZ prek novele zakona o elektronskih komunikacijah" (Parliamentary committee on changes to the law on electronic communication), Tax-Fin-Lev.si, 6 April 2011. See <http://www.tax-fin-lex.si/StaNews.aspx?nid=1775> (accessed 7 April 2011).

7.2.3 Digital Licensing

The analog terrestrial television licensing model, which was in use up to the analog switch-off, was conceived in the early 1990s, when commercial television had just started to emerge and terrestrial broadcasting was by far the most common way of receiving a television signal.

Following changes in the political, economic, and cultural system of the late 1980s and early 1990s, one of the fundamental issues was how to change media ownership. Media once owned and controlled by the state have been subjected to the process of privatization and many new media outlets appeared on the newly established market. Until 1994, when the Mass Media Act was adopted, the Telecommunications Office, in charge of radio frequencies management, granted numerous broadcast licenses even though there was no legal basis for them. Almost all of the most important transmission locations and radio frequencies, which cover the largest portions of the country, were distributed before the adoption of the act. The law established a new regulatory body, the Broadcasting Council, responsible for broadcasting frequencies allocation. The council inherited an exhausted frequency fund, chaotic ownership relations, and invalid (or non-existent) license content requirements, and it soon became obvious that the law established a body that could no longer influence the development of the country's broadcasting media sector.²²¹

Regardless of the trends in the distribution of shares of different platforms, which were throughout the last few decades marked by constant and progressive weakening of the position of terrestrial broadcasting and the strengthening of cable and IPTV, the licensing model from the analog era remained unchanged until the recently completed transition to DTT.

Irrespective of the broadcasting platform, all television channels of Slovenian origin must obtain a license for performing television activities before they start to broadcast. After that, they only have to reach an agreement with the operator if they choose cable or IPTV. If they are interested in the DTT platform, on the other hand, the path is longer and more complicated, and does not necessarily end with their inclusion in one multiplex or another. Regardless of the gradual weakening of the scarce resource arguments for regulation, the DTT platform continues to be the most heavily regulated broadcast platform in Slovenia.

In comparison with analog terrestrial television licensing, the major shift in DTT licensing was the fading of the concept of broadcaster as both a television service provider and a frequency license owner, and in several cases also as the operator of its own transmission network. Roughly speaking, the entity was split into two stakeholders that are now subject to licensing: television channels and network/multiplex operators.

In contrast to the practices of analog licensing, broadcasters interested in DTT do not need to apply for radio frequencies necessary for the transmission of their services. However, they have to undergo the procedure of obtaining the right to broadcast on a DTT platform, which is issued exclusively via public tender and is

221. S. Bašić Hrvatin and L.J. Kučič, "Slovenia," in S. Bašić Hrvatin, L.J. Kučič, and B. Petković, *Media Ownership and its Impact on Media Independence and Pluralism in Slovenia and Other Post-Socialist European Countries*, Peace Institute, Ljubljana, 2004, pp. 49–92.

applicable to a specified territory. Only if the broadcasters are awarded the license can they enter a multiplex in the corresponding geographical area. In the situation of sufficiently large DTT platform capacities, they have a good chance of passing the tender successfully, but they are still exposed to a certain risk of not getting the license. The operator is obliged to ensure all licensed television channels equal and non-discriminatory conditions for accessing its multiplex in the relevant area. After reaching an agreement, the television channel can start broadcasting within the operator's multiplex.

In the process of selecting television channels on public tenders, the applicants have to meet specific conditions with regard to their broadcast content. APEK, together with the Broadcasting Council, an independent expert body, is in charge of setting the selection criteria, which are pre-listed in the Mass Media Act and pursue the objectives of pluralism, diversity, and public interest. Until the announcement about the closing of multiplex B, there was more than enough free capacity on DTT platforms for all relevant television services providers that the present television market can stand. With the then abundance of multiplex space and the interest of the regulators to make DTT broadcasting possible for all broadcasters who were interested, the tender criteria were usually not very selective. Despite that, the interest of broadcasters was low and the reasons for that could be attributed mostly to the size and saturation of the national television market.

Until now, all television channels that applied for digital broadcasting licenses were registered in Slovenia. Because a foreign-based broadcaster would have to face plenty of bureaucratic obstacles, foreign-owned terrestrial broadcasters prefer to register their activity in Slovenia before they launch their television channels there. Under current legislation (i.e. the Mass Media Act), it is not possible to apply for the right to broadcast on the terrestrial platform without the license for performing television activities, regardless of being free to air (FTA) or pay service. One of the preconditions for gaining such a license is registration of the channel in the Ministry of Culture's media record. The entry into the record is obligatory for all media and there are a number of requirements that a media publisher has to comply with before registration.

As to the question of whether the licensing system in Slovenia is fair, we believe it is because it enables every television channel that is interested in obtaining a license and the access to the transmission facilities to get both. However, the issue of concern is much more the question of whether this system is really suitable for the current needs both of providers of television services and of transmission network operators, and of viewers as well.

Slovenia's rather rigid, complicated, and outdated three-step licensing system does not suit domestic, foreign or even pay-television channels. The dissemination of pay-television on DTT is not forbidden, but Slovenian law does not encourage it either. When selecting television channels in public tenders, FTA channels must be given priority. However, even without that, it would be unlikely that a pay-television channel would apply for the right to broadcast on the DTT platform. Without changes in legislation to facilitate access to the digital platform for broadcasters and audiovisual service providers, it is improbable that a wider choice of television channels, including pay television, will emerge on the DTT platform in Slovenia.

7.2.4 Role of Self-regulatory Mechanisms

The most significant and influential self-regulatory bodies related to journalistic and media content issues are the two journalists' associations: the Society of Journalists and the Association of Journalists and Commentators. The former has also been running the Journalist Court of Honor, which is the most recognized ethical self-regulatory committee in the Slovenian press.

The Slovenian Advertising Association established the Advertising Arbitration Court and adopted the Code of Advertising Practice, which represents a supplement to the existing legal acts regulating advertising in Slovenia.

As for online media, there are two initiatives designed for the promotion of safer use of the internet. The first, "Safe.si" (Safe.si), is a national awareness node aimed at educating children and teenagers about safe use of the internet, and also at addressing parents and teachers. The second initiative, "Spletno Oko" (Spletno-oko.si), has been operating as a hotline providing the means for anonymous reporting of illegal internet content. As a part of the International Association of Internet Hotlines (INHOPE) network, "Spletno Oko" deals with reports on child pornography and hate speech.²²²

Also in an attempt to establish a self-regulatory mechanism dealing with hate speech, a number of media signed a voluntary agreement in 2011 on the prevention of hate speech in online comments. It remains to be seen how successful they will be.

All listed self-regulatory mechanisms in Slovenia have either direct or indirect influence in the digitized environment, while the last three emerged precisely as a result of digitization. So far they cannot replace existing regulatory mechanisms, but they have complemented them in the areas that are not regulated or are under-regulated, while also raising awareness about the benefits of self-regulatory and co-regulatory mechanisms.

7.3 Government Interference

7.3.1 The Market

One of the characteristics of the Slovenian economy as a whole is that the state still plays a large role as an owner, main shareholder, or important shareholder of a number of companies. These include some of the largest advertisers in the Slovenian media (e.g. Telekom, Petrol, NLB, and Mobitel until 2011). Through the appointment of supervisory bodies, members at these companies, and other decisions and measures, the state and the government, in particular, can thus influence the advertising income of the majority of media.

222. B. Petković, "Country Report: Slovenia."

There were a number of cases where media claimed that they had ceased to receive advertising from state-owned or state-controlled companies due to their editorial policy and critical attitude toward the government (i.e. the magazine *Mag* in the 1990s in the era of liberal-dominated governments; the daily newspaper *Dnevnik* and the current affairs weekly *Mladina* in the era of a right-wing government from 2004 until 2008).

In 2007, a journalist from *Mladina*, Borut Mekina, wrote an article about how the ways of influencing the media by state authorities encompass various methods: appointing supervisory boards and executives in a media company, staffing editorial boards, and controlling advertising disbursements from state owned-companies.

This summer, *Dnevnik* reported that it lost about €800,000 of income due to loss of the ads that have been already promised by state-owned companies, while *Mladina*'s advertising income in 2006 decreased by approximately €190,000 compared to 2005, and shrank by €345,000 in comparison to 2004. During this period, newspaper readership has not declined. Mobitel, one of the biggest advertisers, for example, no longer advertises in *Mladina*, and the same is true for some other smaller advertisers.²²³

Preferential advertising by the state or by state-owned or state-controlled companies remains an important issue, often alleged but difficult to substantiate in most cases. Development of more transparent mechanisms for the public to monitor this may be needed.

7.3.2 The Regulator

As in Slovenia regulators are still more focused on traditional media and have, due to the delay in adopting the amendments of media legislation, limited competencies in the case of internet media, there are no reports of regulators abusing their powers in relation to digital media.

Apart from television channels, which have to acquire a license for performing television activities, and in the case of terrestrial transmission also a license for digital terrestrial broadcasting, no other digital media are subject to any licensing regime. Those digital media which meet the definition of “electronic publications” from the Mass Media Act (2006) have to register as such in the Mass Media Register of the Ministry of Culture, via a simple administrative procedure, and are subject only to the general provisions of media regulation.

In January and February 2012, the signing of the Anti-Counterfeiting Trade Agreement (ACTA) by Slovenia (executed by the outgoing government, without prior public debate) caused many controversial reactions and protests including demonstrations. In March 2012, the new government ordered the Ministry of Economy not to start the ratification process of ACTA in Parliament until the Council of the European Union decides otherwise.

223. B. Mekina, “Kaj je že povedala Andrijana Starina Kosem?” (What was Andrijana Starina Kosem saying then?), *Mladina*, 47, 2 December 2007. See http://www.mladina.si/teodnik/200747/clanek/slo--pritisiki_in_cenzura_v_medijih-borut_mekina/ (accessed 30 March 2011).

7.3.3 Other Forms of Interference

Concerning the eventual extra-legal pressures by the state authorities regarding media content, editorial orientation, and personnel, it is difficult to make comparisons with the pre-digital market. As digitization has not brought many new relevant, exclusively digital media—the majority of them being just electronic versions of media outlets, delivered via traditional, non-digital paths—there is no significant likelihood of pressures specifically aimed at digital media only. However the pre-existing and controversial right of reply and correction persists in the digitization era.

7.4 Assessments

The overall framework of policy, law, and regulation is, according to our estimation, not responsive to all the challenges of digitization. The acts governing the digitization of terrestrial broadcasting, for instance, are focused on the issues of spectrum allocation and on the selection of television channels for the DTT platform, while lacking the mechanisms for the regulation of relations between network/multiplex operators and content providers. Fortunately, thanks to the more than sufficient in relation to the current content offer (actually oversized) capacities of the radio spectrum intended for broadcasting, viewers have access to the majority of television channels they were used to watching in analog, and even some additional ones, while at the same time benefitting from better picture quality and larger coverage.

In addition, the assistance scheme for socially disadvantaged citizens, offering them free digital receivers, and the co-financing scheme for the costs of simulcasting, aimed at the broadcasters, contributed to a successful and rather painless switch-over. However, the weaknesses of the current policy, legal, and regulatory framework, described above and more in detail in section 5, might impair the chances for the most beneficial use of the possibilities introduced by digitization.

We cannot conclude that digitization fostered changes in the nature and degree of interference by state authorities over the past five years, as the main potential route of state influence on the media remains unchanged and is not attributable to digitization but rather the economic circumstances in the country and the characteristics of our media market.

We were not able to identify any substantial increase in public consultation with respect to new media technologies, in comparison with the amount of such consultation in the analog context. Even the more than two-and-a-half-year-long debate over the last unsuccessful attempts to change media legislation has been more focused on traditional and recurrent questions, such as regulation of the right of reply and correction (often abused by politicians), funding of local broadcasters, and obligatory quotas of music of Slovenian origin in radio programming, etc., and it has not touched much on subjects arising from the use of new media technologies.

For the time being, we cannot attribute direct or significant impact on pluralism and diversity in digital broadcasting to any policy or legal provision specifically relating to digitization, as in the year after the

switch-over the situation on the digital terrestrial market has been more or less a slightly improved copy of the situation in the analog context. However, with the withdrawal of TV3 and Norkring, the diversity of national television services has been affected and the capacities of the DTT platform are shrinking. The platform is losing the battle with competing platforms with a lighter regulatory regime. As it still remains the most important platform for distribution of the FTA content and the content in public interest, it is essential to maintain its position and to allow opportunities for development. Reasons for concern are certainly present and the current situation requires a systematic and focused approach of all the competent authorities.

8. Conclusions

8.1 Media Today

It is clear that independence has been threatened or diminished by a number of factors. The most important factor was the economic crisis, which has led to cuts in the budgets of most media, the decrease of the number of journalists, and greater dependence by the media on the remaining advertisers, thus increasing the influence of these advertisers on content and editorial policy in general.

Political influence is still present, mostly in terms of legislation and regulatory bodies, including different agencies and offices, but also within the system of different subsidies and state-controlled or state-influenced advertising. Otherwise, political influence is most directly felt at the public broadcaster RTV SLO, where Parliament appoints or confirms most of the members of its programming council. It could also be seen in the July 2012 attempt to change some of the members of the RTV SLO Supervisory Council.²²⁴

The economic crisis has also threatened or diminished the diversity of news media and news media content, as the media often seem to increase the offer of content appealing to the broadest possible audience. This has particularly occurred with online media and even the electronic versions of traditional media (for example, print) attempt to increase the number of visitors by including more commercially attractive content, particularly entertainment, celebrities, scandals, and bizarre content, much like the practices in a number of media in western Europe, for example.

At the same time, the diversity of news media and news media content, and the pluralism of voices across the news media, seem also to have been threatened by the increasing concentration of the media market, where most of the actors are linked to one another in one or another area, but mostly through ownership, shared projects, and endeavors to find synergies.

On the other hand, the process of digitization has changed the media landscape. The digitization of broadcasting has not had any strong effects yet, though the effects of the digitization of media in general,

224. The Supervisory Council consists of 11 members, five of whom are appointed by the National Assembly, in proportion to the representation of political parties in the National Assembly. See <http://www.rtvlo.si/strani/introduction/3> (accessed 12 June 2012).

particularly online activities and convergence, have influenced the media shape, media content, and to a certain extent also the diversity of news media and news media content, particularly in terms of interactivity, and, to a smaller extent, UGC. Thus the pluralism of voices across the news media has increased, although mostly through users' forums and comments, and not as much through the voices in the media content itself.

8.2 Media Tomorrow

The principal areas of development in Slovenia's media over the next five years seem to be the increasing rise of the use of the internet and the increase of specialized content and offers in broadcasting due to digitization. These predictions are based on the trends in the recent years and reflect the patterns which have emerged in other comparable countries after the introduction of the digitization of broadcasting in the past few years. The circulation of print media will probably also decrease, although the trend of the falling circulation of the daily press in particular that was present in the past five years slowed or stopped in the last two quarters of 2010. The changes in radio, as one of the media sectors in Slovenia which has not yet started to exploit sufficiently the opportunities offered by digitization, will in the coming years be marked by gradual digitization, as discussed in detail in Chapter 5, although the abandoning of analog transmission is not expected in the near future.

The relationship between broadcasters and telecoms and other gatekeepers—particularly the question who decides about the conditions for the distribution of media services, and how—remains very problematic and is likely to cause further friction and conflict in the future, especially since telecom companies are now entering a market which was traditionally the broadcasters' domain.

9. Recommendations

9.1 Policy

9.1.1 Media Policy

9.1.1.1 National Strategy for the Media

Issue

Despite efforts of different actors (experts, non-government organizations, public institutions, journalistic associations, and representatives of media companies) the Slovenian media landscape continues to evolve without an overarching national strategy. Some sectors, such as electronic media, are overregulated, while in others there is a lack of adequate regulation, for example in relations between the media outlets and the operators of distribution platforms such as cable. There is also a problem of outdated regulation that does not function at all or represents a significant administrative burden for media companies as well as regulatory bodies, without wanted effects.

Recommendation

The Government should adopt a national media strategy that would be adequate for today's realities in the media. Such a strategy should become more flexible in areas that are now overregulated and introduce fresh regulatory provisions in areas that are not covered by any legislation. The strategy should lead to a more robust and effective regulatory system in Slovenia's media.

9.1.1.2 Transparency in the Media Policy Process

Issue

The Mass Media Act (2001, 2006) and the Public Broadcasting Act (2005) were adopted after minimal public consultation, and inadequate consultation with the relevant subjects, such as representatives of media, journalists, civil society organizations and other stakeholders. On a public event in November 2012 (the advocacy round table for the Slovenian MDM report) it was unexpectedly revealed (by the representatives of the competent ministry) that even the latest attempt of media legislation revision was started without so much as informing the media, journalists, civil society and other important sectors of society.

Recommendation

A regular, formal, or at least informal platform, engaging the players in the Slovenian media, should be established to facilitate dialogue and discussion. It could be established either in a formal way as a permanent network for discussions and consultations with specific organizational framework under the umbrella of the relevant ministry or sponsored by a network of regulatory authorities; or as an informal platform of professional associations, media companies associations, non-government organizations and other forms of civil society joining together on ad-hoc meetings or organizing public discussions on topics associated with media, their role in the society, their values and standards, and the media legislation and regulation.

Better transparency should be required in the preparation of all relevant documents and decisions, to ensure the availability of information about who proposed certain solutions, articles or parts of the relevant documents, especially those related to the adoption of laws and strategies. All included state institutions and bodies should keep a record of all received proposals and their authors.

9.1.2 Spectrum Policy

9.1.2.1 Using the Digital Dividend

Issue

No plan for using the digital dividend (spectrum formerly needed for analog terrestrial television, released by switch-over) has been prepared, or at least presented.

Recommendation

The relevant ministry should prepare and the government should adopt a strategy for use of the released radio spectrum, taking into account the needs of the whole society and not just the industry or other interest groups.

9.2 Media Law and Regulation

9.2.1 Regulation

9.2.1.1 Transparency of Advertising Contracts

Issue

Many small media outlets survive through opaque and dubious advertising deals, including payment for various forms of covert promotion involving businesses and politicians. In exchange for favorable interviews or features or for favorable coverage as a whole (including content completely prepared by PR agents of either politicians or companies published without being clearly labeled as such) they receive advertising contracts from these companies or various forms of payments from either companies or political groups.

If the advertising and the business of running media were more transparent and subject to stricter control by inspectors and financial institutions, there would be less such content and fewer cases of unethical and misleading news coverage. Greater transparency and stricter financial control would probably lead to the

closure of a number of media outlets, and to the improvement of content quality, as surviving companies and outlets would be able to increase investment in quality, in-depth news coverage.

Recommendation

Regulatory bodies such as Office for the Protection of Competition (*Urad za varstvo konkurence*) as well as Tax Office of Slovenia should prepare stricter rules and enforce stricter control of financial arrangements of Slovenian media, in order to expose questionable promotional arrangements.

All relevant institutions, such as ministries, media regulatory authority and inspectorates, should cooperate in creating the measures and control mechanisms at the inter-institutional level, aiming at more efficient regulation of media ownership and prevention of market power abuse, un-transparent take-overs and mergers.

9.2.1.2 Breadth of Digital Content and Services

Issue

The majority of the key players, including the government, treated the introduction of Digital Terrestrial Television (DTT) as primarily a technical challenge. The question of content production and quality were relatively disregarded. Despite the abundance of space in the DTT multiplexes, and the technological advantages of digital broadcasting, there has been no significant increase in the content or services offered. This distorted approach is, in part, the result of a rather rigid licensing regime of the DTT platform, which currently does not encourage introduction of new business models, for instance pay television.

Recommendation

The legislation governing broadcasting, especially the Mass Media Act, should be revised to remove administrative barriers to the introduction of pay-TV and thematic channels, to which a lighter regulatory regime should apply.

9.3 Public Service in the Media

9.3.1 Public service and Digital Services

Issue

The failure to revise the Law on RTV Slovenia in 2010 prevented the development of new television channels and new services within the public service remit. Under the Law on RTV Slovenia from 2005, which is currently in force, no such channels can start to broadcast as they are not envisaged within the public service remit of RTV Slovenia, the public broadcaster.

As the revenues that RTV Slovenia acquires through its activity on the television content delivery market are an important source of its funding, at the moment, also due to the legal constraints described above, RTV Slovenia seems to be more focused on improving its position on the operators market than on its remit to improve the quality and variety of its content offer.

Recommendation

As the patterns of media consumption in the digital era changed substantially, it would be worth increasing the investments by RTV Slovenia into the new media. Considering international and domestic trends due to digitization and constant increase of new media services and offers, national public service broadcaster should expand the scope of its multimedia content and services, by giving the new media services more prominent position within the public service remit of RTV Slovenia and better chances for development.

RTV Slovenia should also provide more channels and programs to fully use new opportunities, provided by digitization of broadcasting and its privileged access to the radio frequency spectrum. It would be advisable to enable the RTV Slovenia, through the revision of the Act on RTV Slovenia, the introduction of thematic channels, as long they could pass the public value test, so that the public service broadcaster's duty would not be just to secure the range of television and radio services, defined in the law, but a wide range of high quality media services designated to appeal to a variety of tastes and interests.

Third recommendation is directed towards the role of RTV Slovenia at the electronic communications market. It would be worth reflecting the possibility of exclusion of the transmitters and communications unit from the public service broadcaster, by the revision of Act on RTV Slovenia or via a new law.

List of Abbreviations, Figures, Tables, and Companies

Abbreviations and Acronyms

3G	Third generation
ACTA	Anti-Counterfeiting Trade Agreement
APEK	Agency for Post Services and Electronic Communications (<i>Agencija za pošto in elektronske komunikacije Republike Slovenije</i>)
CD	Compact disc
CRJMM	Center for Research of Public Opinion
DNS	Slovene Association of Journalists (<i>Društvo novinarjev Slovenije</i>)
DTT	Digital terrestrial television
DVB-T	Digital Video Broadcasting—Terrestrial
EU	European Union
FM	Frequency modulation
FTTH	Fiber to the home
GDP	Gross domestic product
GNI	Gross national income
HD	High definition
HDTV	High definition television
IMAD	Institute of Macroeconomic Analysis and Development (<i>Inštitut za makroekonomske analize in razvoj</i>)
INHOPE	International Association of Internet Hotlines
IPTV	Internet protocol television
ITU	International Telecommunication Union
JNA	Yugoslav People's Army (<i>Jugoslovenska Narodna Armija</i>)
MMC	Multimedia Center
MMS	Multimedia messaging service
MOSS	Measurement of Website Traffic
MPEG	Moving Picture Experts Group

OSVED!	Let's Clean Slovenia In One Day! (<i>Očistimo Slovenijo v enem dnevu!</i>)
PC	Personal computer
PVR	Personal video records
RIS	Internet Usage in Slovenia (<i>Raba interneta v Sloveniji</i>)
RPN	Revised sold circulation
RSS	Really simple syndication
RTV SLO	Radio-television Slovenia (<i>Javni zavod RTV Slovenija</i>)
SDS	Slovenian Democratic Party (<i>Slovenska demokratska stranka</i>)
SFRY	Socialist Federative Republic of Yugoslavia
SRDF	Broadcasting Council (<i>Svet za radiodifuzijo</i>)
STA	Slovenian Press Agency (<i>Slovenska tiskovna agencija</i>)
SIM	Subscriber identity module
SMS	Short message service
SOZ	Slovenian Advertising Chamber (<i>Slovenska oglaševalska zbornica</i>)
SRDF	Broadcasting Council (<i>Svet za radiodifuzijo</i> , SRDF)
STB	Set-top box
T-DAB	Terrestrial-Digital audio broadcasting
UGC	User-generated content
UMTS	Universal Mobile Telecommunications Services
UVK	Office for the Protection of Competition (<i>Urad za varstvo konkurence</i>)
VOD	Video-on-demand
WAP	Wireless Application Protocol
ZNP	Association of Journalists and Commentators (<i>Zveza novinarjev in publicistov</i>)

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Companies

Adria Media Company
AGB Nielsen
Alexa
Black Box
Central European Media Enterprises
Delo
Dnevnik
Facebook
Fitch Ratings
Flickr
Foursquare
Gemius
GfK Slovenia
Google
Gowalla
LinkedIn
Mediana
Media Pool
Mobitel
Modern Times Group
Moody's
NLB
Norkring
Norkring International
ORS
Petrol

Piano Media
Pink Media Group
Planet 9
Pošta Slovenija
Pro Plus
Prva TV
Report
RTV Slovenia
Si.mobil
SlideShare
Slovenian DTT
Standard & Poor's
Styria Verlag
Telekom Slovenia
Telemach
Telenor Group
3lan
TS Media
Twitter
Universal Music
Valicon
Večer
Wikipedia
Yahoo!
YouTube
Žurnal Media

Mapping Digital Media: Country Reports (published in English)

- | | |
|-------------------|----------------------------|
| 1. Romania | 16. Hungary |
| 2. Thailand | 17. Moldova |
| 3. Mexico | 18. Japan |
| 4. Morocco | 19. Argentina |
| 5. United Kingdom | 20. South Africa |
| 6. Sweden | 21. Turkey |
| 7. Russia | 22. Lebanon |
| 8. Lithuania | 23. Macedonia |
| 9. Italy | 24. Bosnia and Herzegovina |
| 10. Germany | 25. Poland |
| 11. United States | 26. Montenegro |
| 12. Latvia | 27. Georgia |
| 13. Serbia | 28. Nigeria |
| 14. Netherlands | 29. Colombia |
| 15. Albania | 30. Croatia |

Mapping Digital Media is a project of the **Open Society Media Program** and the **Open Society Information Program**.

Open Society Media Program

The Media Program works globally to support independent and professional media as crucial players for informing citizens and allowing for their democratic participation in debate. The program provides operational and developmental support to independent media outlets and networks around the world, proposes engaging media policies, and engages in efforts towards improving media laws and creating an enabling legal environment for good, brave and enterprising journalism to flourish. In order to promote transparency and accountability, and tackle issues of organized crime and corruption the Program also fosters quality investigative journalism.

Open Society Information Program

The Open Society Information Program works to increase public access to knowledge, facilitate civil society communication, and protect civil liberties and the freedom to communicate in the digital environment. The Program pays particular attention to the information needs of disadvantaged groups and people in less developed parts of the world. The Program also uses new tools and techniques to empower civil society groups in their various international, national, and local efforts to promote open society.

Open Society Foundations

The Open Society Foundations work to build vibrant and tolerant democracies whose governments are accountable to their citizens. Working with local communities in more than 70 countries, the Open Society Foundations support justice and human rights, freedom of expression, and access to public health and education.

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