

# Bulgarian Media Since 1989: From Instrumentalization to Capture

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**Abstract:** In the second decade of the 21st century, Bulgaria earned the unsavory reputation of having the least media freedom in the EU's (Reporters Without Borders). This paper examines the current state of Bulgarian media based on two research concepts: for instrumentalization, respectively the capture of media. The latter, especially when talking about the specifics and consequences of political-oligarchic pressure on media, is more appropriate for countries with serious deficits in their democratic development. The main purpose of the paper is to study media capture in Bulgaria at a structural level: regulatory capture, control of public service media, use of state financing as a control tool, ownership takeover (based on concepts by Dragomir, 2019, IPI, n. D.), including appropriate cases. The analysis makes use of material from scientific articles, media publications, other publicly available sources, expert interviews.

**Keywords:** Bulgaria; transition; media; instrumentalization; capture.

## INTRODUCTION: MEDIA IN BULGARIA – FREE BUT NOT INDEPENDENT

Thirty-five years after the beginning of the democratic transition in Bulgaria, there has been a constitutional and legally guaranteed freedom of the media, but also serious problems with their independence. The state of the media environment deteriorated during the right-of-center GERB party administration between 2009 and 2021 (with small interruptions) – a clientelist formation, led almost solely by the three-time Prime Minister Boyko Borissov.

In their “Nations in Transit 2022” annual report, Freedom House found that in Bulgaria, a country with a “semi-consolidated democracy”, special interests “exert influence” on media and editorial independence and can lead to self-censorship despite the independence of media in general. These weaknesses were established against the backdrop of models of political patronage, conflicts of interest and opaque contracts by the former GERB administration (Petrov,

2022). For a long time, Bulgaria has ranked the worst out of all EU member states on the Reporters Without Borders (RWB) World Press Freedom Index. In 2010, at the beginning of the GERB rule, Bulgaria ranked 70th. In 2021, the last year in which GERB was in power Bulgaria ranked 112.<sup>1</sup> Reporters Without Borders then found Bulgaria's media environment was in a dire situation, for which there were several reasons as Fileva (2021) notes. First, the few independent journalists that existed were not only subjected to defamatory campaigns and harassment by the state, but they were also the subject of intimidation and violence. Secondly, politicians and oligarchs had corrupted pro-government media. Thirdly, the government distributed European and other public service media funding with a complete lack of transparency, allowing the ruling party to 'buy' favorable media reflection. Fourthly, judicial harassment of independent media such as *Bivol* and the *Economedia* group posed a constant threat to press freedom<sup>2</sup> (Fileva, 2021).

Against the backdrop of the presence of domestic public interest "watchdogs" in Bulgaria, the poorest in the EU with major flaws in the field of the supremacy of law, high levels of corruption are not surprising. In 2022, the country ranked 72nd in Corruption Perceptions Index on Transparency International (TI), second to last in the EU (just ahead of Hungary), and remained an example "of a systematic problem with corruption and of ineffective fight to tackle it" (TI Bulgaria, 2022).

The focus of this article will be the issues that worsened at the end of the first decade of the 21st century. The analysis will be done through the prism of two concepts established in international media studies: instrumentalization and capture of media. In the theoretical part, the article will try to prove that although these two concepts are often viewed as both sides of a coin, there are significant differences between them. Instrumentalization is the more versatile concept prevalent in, for example, Southern European countries. Media capture is more adequate when researching the state of media in countries such as former communist countries in Europe, which, although EU member states have serious flaws in their democratic development. The main objective of the article is to study the media in Bulgaria at the structural level (regulation, financing, ownership) as a prerequisite for influence on media content.

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1 In 2022 and 2023, as a result of a change in the methodology of the index, Bulgaria significantly improved its ranking – from 112 to 91, respectively to 71st place. The higher assessment is most likely also a consequence of the political change in 2021 and 2022, but Reporters without Borders found that the authorities have failed to implement systematic measures to improve press freedom (see e.g. Fileva, 2023).

2 SLAPP cases are becoming an increasingly serious problem for Bulgarian journalists and media. The insurance company "Lev Ins" has filed a lawsuit in the Sofia City Court against Mediapool for BGN 1 million (approximately EUR 500 thousand) on the grounds that it felt affected by material that quotes and retells a transcript of a meeting of the Council of Ministers (Mediapool.bg, 2023).

The article also aims to tackle a more specific task – to create a typology of the capture of Bulgarian media, discussing specific cases, based on the available information in scientific articles, media publications, other publicly available sources, expert interviews.

## **THEORY: MEDIA INSTRUMENTALIZATION VERSUS MEDIA CAPTURE**

As stated earlier, clarifying the difference between these two terms is the key for this analysis. First, it is necessary to note that the two terms, which are used both about democracies in transition (from or to authoritarianism), and about established democracies, will be distinguished between the stringent control exercised over media in authoritarian regimes. Secondly, both concepts refer to a negative impact on media organizations, most often from external factors, although the threat may come from “within”. Some authors, in practice, view them as synonyms. Rasmus Kleis Nielsen cites Hallin and Papathanassopoulos (2002) argument that media capture is synonymous with the concept journalism research called instrumentalization, and that capture involves “media being operated not for profit or for public service, but as an instrument for the pursuit of other interests, either purely political or tangled up between politics and commerce” (Nielsen, 2017, p. 38).

Secondly, in their landmark work, “Comparing Media Systems: Three Models of Media and Politics”, Hallin and Mancini (2004) popularized the existing concept of the instrumentalization of the media and characterize it as “control of the media by outside actors – parties, politicians, social groups or movements, or economic actors seeking political influence – who use them to intervene in the world of politics” (Hallin & Mancini, 2004, p. 37). Anya Schiffrin (2021) views this definition of Hallin and Mancini of instrumentalization of the media as one of the most important definitions of media capture. Other authors, however, find more traditional threats of instrumentalization to the media in democratic societies. Jarren and Donges (2002) cite Schatz (1997) and Langenbuher (1983) to list how political systems in democratic societies try to instrumentalize the media system, through “the direct or indirect influence on the media, the expansion of press offices, the professionalization of political public relations, the development of persuasive PR strategies, etc.” (Jarren & Donges, 2002, p. 27).

Thirdly, although both terms began to be actively used in the first decade of the 21st century, media capture came to be more preferred in the second decade in research into the serious flaws in media systems transitioning to democracy. Compared to the “instrumentalization of media” in Mediterranean countries (Hallin & Mancini, 2004), the problems of media in the former communist

countries in Central and Eastern Europe were presented more as media capture, as being much deeper and more systemic.

Hallin and Mancini link the term instrumentalization specifically to the political condition of the media, but also add that they can be instrumentalized because of commercial pressure (commercialization). Both types of instrumentalization, which in many cases act at the same time, can endanger the professionalization of journalism in its three components: limiting its autonomy; political criteria become prevalent over independent journalistic norms and rules; media mainly serves private interests instead of offering public service journalism (Hallin & Mancini, 2004, p. 37). The professionalization of journalism is one of the four characteristics that Hallin and Mancini used to typologize 18 media systems in Western Europe and North America<sup>3</sup> and distinguish them into “three models of media and politics”: Mediterranean or Polarized Pluralist Model; North/Central Europe or Democratic Corporatist Model; North Atlantic or Liberal Model (2004, pp. 67–68)<sup>4</sup>.

The instrumentalization of media is more widely practiced in countries with traditions of clientelism. Hallin and Papathanassopoulos (2002) consider political clientelism as the cause of the vulnerable position of media in Mediterranean countries, and especially in “kinship with” Latin America, where powerful economic circles have entered politics. Political clientelism:

is a particularistic form of social organization, in which formal rules are less important relative to personal connections or, in later forms of clientelism, connections mediated through political parties, the Church, and other organizations. While rational-legal authority tends to be associated with a political culture that enshrines the notion of the “common good” or “public interest” (...) in a clientelist system commitment to particular interests is stronger and the notion of the “common good” weaker. (Hallin & Mancini, 2004, p. 58).

Clientelism is associated with the instrumentalization of media, both in public (prioritizing political loyalty over professional criteria), as well as private (the political ties of the owners are decisive for obtaining state contracts and

3 The remaining three characteristics are: structure of the media market with an emphasis on the development of the mass press; political parallelism, describing the level of political orientation of the press in different countries; the role of the state in relation to the media system. Hallin and Mancini’s conceptual framework for analyzing media systems also includes an additional component – their political context, which is examined using five other characteristics (Hallin & Mancini, 2004, pp. 21–45, pp. 46–65).

4 There are justified criticisms of this typology, including that it is not applicable to non-Western media systems. Nevertheless, the “three models” and especially the “Mediterranean” are the starting point for comparative studies and typologizing of media systems in Eastern Europe and other regions of the world.

concessions, including broadcast licenses; owners use their media to influence politics) (Hallin & Mancini, 2004, p. 58)

Spassov (n.d.) argues clientelism is one of the main problems of media, particularly combined with the political system of “semi-consolidated” democracy like Bulgaria. There is a direct correlation between the weaknesses of the political system (also marked by widespread corruption in the government) and the flaws of the media system, characterized by the lack of autonomy. “There are almost no independent media in Bulgaria and most of them – like most of the political parties – are characterized by clientelism” (Spassov, n.d.)

Clientelism creates a favorable environment for corruption practices, especially in the context of highly developed networking dependencies between politics, business and media. But not every form of corruption is clientelism. If clientelism is a chronic disease, corruption is acute pain. Media corruption illustrates the capture of media by private, corporate or political-oligarchic interests.

The concept of media capture is a complement to the base phenomenon state capture. The latter term was first used by the World Bank in the early 21st century to refer to former communist countries in Central Asia. Transparency International defines state capture as:

one of the most pervasive forms of corruption, where companies, institutions or powerful individuals use corruption such as the buying of laws, amendments, decrees or sentences, as well as illegal contributions to political parties and candidates, to influence and shape a country’s policy, legal environment and economy to their own interests. (Martini, 2014, p. 1).

Mungiu-Pippidi (2013, p. 36) views systemic corruption as a major problem for post-communist countries, as “a form of particularistic social organization where the norm is corruption itself” also being the foundation of “systemic media corruption”. Mungiu-Pippidi uses the term media capture with regard to media systems in the former communist countries in Eastern Europe.

By ‘media capture’ I mean a situation in which the media have not succeeded in becoming autonomous in manifesting a will of their own, nor able to exercise their main function, notably of informing people. Instead, they have persisted in an intermediate state, with vested interests, and not just the government, using them for other purposes. (Mungiu-Pippidi, 2013, pp. 40–41).

She distinguishes three paths of development of Eastern European media systems after the fall of communism: (i) open competition, independent media and media pluralism; (ii) controlled, limited competition and media capture

by political and economic interests; (iii) a return to censorship and media control (Mungiu-Pippidi, 2013, p. 40).

Guerrero and Márquez-Ramírez (2014) explore the ‘captured liberal’ model of media systems in Latin America and distinguish two key aspects of the capture of media in the region, although with varying degrees: the degree of regulatory (in)efficiency” and “the (limited) watchdog role of media”. Guerrero (2017, p.123) describes two aspects as: “low regulatory efficiency” and “high degree of instrumentalization of the normative function of the media”. There is a dichotomy here: after the transition from authoritarian to democratic systems and a neoliberal market model, instead of establishing autonomous and professional media, the commercial media “were captured by particular actors who often fused political and economic power” as the authors claim (Hallin, 2016).

Daniel C. Hallin (2016) criticizes the concept of the captured liberal model for being too general to describe Latin America in view of the diversity of media systems in the region and varying degrees of capture and independence of the media. At the same time, Hallin (2016) considers aspects of the captured liberal model with the flaws pointed out by Guerrero and Márquez-Ramírez (2014) may also be relevant to analyze other parts of the world. Aspects such as: control of many media outlets through their dependence on government advertising; providing broadcasting licenses as a patronage tool; the involvement of political actors in private media takeover schemes.

Marius Dragomir (2019) addresses the problem of media capture within the interactions between politicians and oligarchs in Eastern Europe. Dragomir in the context of the well-known flaws of the media systems in the region, he refers to a weakness of public media, an uncontrolled concentration of media property, increased importance of government-sponsored media, which could be closer related to the more traditional “instrumentalization” of media. In this context, Dragomir highlights the new trends, of the capture of media:

[T]he collusion between the political class and media owners has reached unprecedented levels, leading to a phenomenon known as media capture, a situation where most or all of the news media institutions are operating as part of a government-business cartel that controls and manipulates the flow of information with the aim of protecting their unrestricted and exclusive access to public resources. (Dragomir, 2019, p. 1).

On the interweaving the traditional state media control with control by business interests (see also Schiffrin, 2017, pp. 2–3).

The intensity of media capture in a national context can be analyzed by a four-component model, created by the Center for Media, Data and Society (CMDs) and based on research in over 30 countries (Dragomir, 2019, pp. 8–13): “regulatory

capture, control of public service media, use of state financing as a control tool, ownership takeover". The International Press Institute formulate four components of media capture in liberal and non-liberal democracies in Europe similar to this classification:

[T]urning public broadcasters into government mouthpieces; capturing and instrumentalizing media regulatory bodies with political appointees; abusing state resources to distort the media market in favor of pro-government media; and creating a circle of loyal oligarchs to run private media in the government's interest. (IPI, n.d.).

Dragomir points out that:

in the most extreme cases of capture, state institutions act as a private enterprise and at the same time oligarch-controlled media become an active user of public resources. Sometimes it is hard to distinguish between the two. In such an environment, it is nearly impossible for independent media to operate as their access to public resources (broadcast licenses, frequencies or state subsidies) is blocked and the market is captured by a handful of companies, a situation in which the space for fair competition is dramatically reduced and independent journalism ends up on the fringes (if it survives at all). (Dragomir 2019, p. 9).

## THE MEDIA CAPTURE IN BULGARIA – TYPOLOGY AND CASES

There is not always a clear distinction between instrumentalization and capture of media in Bulgaria. However, the period of systematic capture of media began at the end of the first decade of the 21st century and could be referred to as "political-oligarchic" (the preceding two periods are the 'democratic' and the 'market'; clear boundaries cannot always be drawn between the three periods).<sup>5</sup>

During the first two decades of the democratic transition, there were objective factors that predetermined the lower degree of pressure on media and its rather unsystematic character. In the 1990s (the "democratic" period), media was released from authoritarian control, media pluralism arose in the face of increasing market competition and media legislation was introduced, complying with Western

5 Media researcher Georgi Lozanov came up with a somewhat similar periodization of the media transition in Bulgaria. He distinguishes three periods: "romantic", "market" and "corporate" (Lozanov, 2014).

European standards as a whole. There are also some acute but rare attempts by politicians to control media – for example, the war of the first democratic government (1992) with leading daily newspapers and the severe pressure of the socialist government (1995–1996) over the then state media Bulgarian National Television (BNT) and Bulgarian National Radio (BNR).

During the 2000s (the “market” period), powerful foreign media investors came into play. These included the German press group WAZ (1996), News Corp and the Scandinavian MTG in the field of TV business that introduced profitable business models; the foundations of media self-regulation were laid, but the Code of Ethics still remained a fig leaf to conceal systemic media transgressions.

At the end of the first decade of the 21st century (the conditional beginning of the “political-oligarchic period” of media in Bulgaria), key foreign media investors began to leave Southeastern Europe as a result of the global financial crisis, but also because of increasing political pressure. By 2020, leading media investors had already left Bulgaria. Their places were occupied by new owners, often Bulgarian. Crucial media were captured to serve political-oligarchic interests. Threats and judicial harassment against critical journalists and media became more common. During this period, self-censorship in journalism increased (CID, 2015; Valkov, 2022).

However, Dzhambazova (2022) identifies two key elements that distinguish the capture of media in Bulgaria from the classic “Hungarian” case. Firstly, media ownership as well as the business interests of key media owners remain largely opaque due to a weak regulatory framework. Secondly, there are competing centers of power in condition of media-political symbiosis – phenomena facilitated by high levels of corruption and weak democratic institutions (Dzhambazova, 2022, p. 6). The four-component model of media capture (Dragomir 2019, IPI, n. D.) is also applicable to Bulgaria indeed Dzhambazova (2022) also uses it.

## REGULATORY CAPTURE

Regulatory capture is achieved through political control over the formally independent regulatory organ for radio and television operators and “weaponizing the financial supervision commission (Dzhambazova, 2022, pp. 20–22), and influence on the formally independent antitrust commission (concerning its part in “ownership takeover”).

The Council for Electronic Media (CEM) issues licenses to radio and television operators to broadcast content (recently it has gained regulatory functions over video sharing platforms) and appoints and dismisses the CEOs of both BNR and BNT. Three of the CEM’s members are elected by parliament, two are appointed by the president, there is no “civil” quota. Reporters Without Borders finds in Bulgaria that “the political affiliation of the members of the Council for Electronic Media negatively affects the editorial independence of the public



media, while the independence of private media is threatened by their owners' interests in regulated sectors" (RWB, 2023).

In 2019, four of the five members of the CEM "having been nominated directly or by people close to GERB" – the ruling party (Dzhambazova, 2022, pp. 20–21). In the same year, under GERB's government, we witnessed emblematic actions to capture BNT through the regulatory authority. The CEM appointed the former politician, TV producer and private television anchor Emil Koshlukov as CEO. He, however, had worked for Nationalist Party Ataka's *Alpha TV* and was considered to be close to GERB and the now former Prime Minister Borissov. "Koshlukov was installed to present the work of the ruling party in a positive way," media researcher Orlin Spassov said (Dzhambazova, 2022, p. 19). The OSCE observers for the elections on July 11, 2021, when the Borissov party was no longer in power, found that "GERB received a greater coverage on BNT during the election campaign" (Penkova, 2021). In 2022, the CEM failed to appoint a new CEO, and Koshlukov continued to hold the position temporarily.

There are also more powerful institutional "clubs" against media. Reporters without Borders called the Financial Supervision Commission (FSC) a "media police" because of the fines it imposed demanding that journalists disclose their sources and thus preventing them from shedding more light on banks' problems and the regulation in the banking system of the country (Ureport, 2016). These are of course the massive sanctions (amounts equivalent to 25–50 thousand euros) that the FSC imposed in 2015 over several publications in editions of the authoritative media group *Economedia* and two other regional editions.

Political scientist Anthony Todorov (Indzhov, 2020a, expert interview) explains the behavior of the regulatory authorities toward the media should be considered within the broader framework of replacing the traditional statism approach of the Bulgarian state in various public spheres. The approach uses regulation "as a pressure apparatus" against the media particularly "when some political actor literally captures it". According to sociologist Zhivko Georgiev (Indzhov, 2020b, expert interview) the state (the ruling majority) continues to influence media "through some regulatory functions it has retained as well." Occasionally, the state selectively uses tools such as the formally independent Council for Electronic Media, as well as "the dependent judiciary branch to solve certain problems" (Indzhov, 2020b, expert interview).

## CONTROL OF PUBLIC SERVICE MEDIA

The transition of former state radio and television in Bulgaria to public media is incomplete. Apart from their CEOs being appointed by the politically dependent CEM, the Western Europe-approved model for funding radio and television through fees paid by each household was never introduced. Both BNT and BNR are underfunded, and simultaneously dependent on the state, or, more

precisely, on the ruling majority, which could act against them with an iron fist in a velvet glove. The almost complete dependence of the two national media on the state budget affects their editorial independence differently. While BNR has achieved the status of a more autonomous media organization and practices more independent journalism, BNT has been adorned with the unenviable fame of acting as pro-government television.<sup>6</sup>

At the same time, as with the pressure experienced in the 1990s, BNR managed to mobilize against the attempts of power centers to take the reins. On September 13, 2019, BNR's lead station, *Horizont*, stopped broadcasting for five hours. This was a first in the history of BNR, supposedly because of "technical issues". The interruption was obviously related to the removal of journalist Sylvia Velikova as host the previous day. Many of her colleagues suspected that the BNR CEO had been pressured to dismiss her because of her criticism of the only candidate for the attorney general, considered to be close to the ruling party. Following a protest by BNR journalists (and Prime Minister Borissov's intervention), she was restored as a host. The CEM later fired the CEO because of the broadcast interruption.

## USE OF STATE FINANCING AS A CONTROL TOOL

Reporters Without Borders found that in Bulgaria:

The media are almost entirely dependent on income from advertising, in which the state plays an important role. Distribution of national and EU funds to the media by the government is completely non-transparent, which allows the trading of public funding for favorable coverage. (RWB, 2023: Bulgaria).

The criticism in the report of The European Commission "2022 Rule of Law Report" is more diplomatic but similar: "The lack of a clear regulatory framework to ensure transparency in the allocation of state advertising remains a concern, despite some measures having been taken to improve transparency" (European Commission, 2022, p. 1).

The role of the state as an advertiser increases during periods of crises in the advertising market. Certainly, as *Club Z* reveals, Bulgarian television and radio stations have received more than BGN 68 million (approximately EUR 34 million) through direct negotiation with the government to promote various European programs between 2007 and 2021 (Valkov, 2021). Among the recipients during

6 BNT 1 has a very low market share compared to its two large private competitors – 9% vs. 23% for Nova TV and 25% for bTV (data is for the first half of 2021; 18+). In the highly fragmented radio market, BNR fares significantly better with an 18% market share, slightly behind music radio Vesselina, but more than twice ahead of its main competitor Darik Radio (June 2021; 15–69). (Source: GARB, 2021, in Media Club 2021, p. 16, p. 26)

the first programming period (2007–2013), when most of the money were distributed, the media such as *TV7*, *TV Europe*, *Channel 3*, *Radio Focus*, *Radio K2*, which generally supported the government of GERB, but did not have big audiences. Media law expert Nelly Ognyanova is of the opinion that “that the existence of such budgets pushes media to be permanently dependent on the government”. She also believes that this is also one of the reasons for the rise of custom journalism in the country, although the main reason should be the “captured state” (Free Europe, 2019). The total amount for promoting European programs is certainly much greater because the cited amounts do not include the money given to advertising and PR agencies, which then distribute sums to all types of media. Sociologist Zhivko Georgiev is of the opinion that the EU funds have led to a large-scale corruption and the power-oligarchic symbiosis: “(...) EU membership enabled the government to receive foreign money to buy loyal media and media service” (Indzhov, 2020b, expert interview).

Media, most notably the regional media, are also subjugated by municipal governments through contracts the so-called “media service”, which have turned the notion of independent and objective journalism on its head. Between 2013 and 2015, for example, 10 Bulgarian municipalities both large and small, spent over BNG 2.7 million (approximately EUR 1.35 million) to buy media influence and control the content of publications on “municipal” topics, found a study by online media *Dnevnik* (Spasov, 2016) There are 265 municipalities in Bulgaria.

## OWNERSHIP TAKEOVER

Taking over private media by political-oligarchic interests will be discussed using four cases, occurring almost entirely during the second decade of the 21st century:

### THE BANK OF POWER AND THE MEDIA OF POWER

In 2014, the Corporate Commercial Bank (CCB) with majority owner Tzvetan Vassilev went bankrupt. It was also associated with media mogul Delyan Peevski, who was member of the party of Bulgarian Turks DPS. Under Borissov’s first government (2009–2013), state-owned companies deposited most of their money in the CCB despite the low interest rates; this process had begun during the previous coalition government. In 2014, a public clash between Peevski and his alleged former ally Vassilev following the bankruptcy of this captured bank:

led to revelations about how the two men had used the bank for personal gain, and funds for the media aligned with them. (...) Prior to the collapse Peevski’s media had attacked the CCB’s viability which may have contributed to the loss of confidence and subsequent bank run. (Dzhambazova, 2022, p. 11).

In 2020, the Anti-Corruption Fund (ACF), published revelations about siphoning off the bankrupt CCB. The ACF claims

that investors' money of the in CCB, disappeared without a trace in the Bulgarian media, is between BGN 350 and 500 million leva (approximately EUR 175 – 250 million). CCB funders include publishers of over 50 newspapers, over 20 popular internet sites and at least three national private television stations with offshore ultimate owners. With one small exception, all these media provide media comfort to the Bulgarian prosecutor's office, which must investigate them as part of the scheme that led to the bankruptcy of CCB (Dnevnik, 2020).

Most of these media supported Borissov and GERB. The bank credits were not paid off.

#### **DELYAN PEEVSKI: FROM MEDIA "EMPIRE" TO THE "MAGNITSKY" LIST**

In 2007, the newspapers controlled and later owned by Delyan Peevski were also bought with loans from CCB. Among them is the daily *Telegraf*, which subsequently had the largest circulation in Bulgaria. Although it sounds schizophrenic, when the party of Delyan Peevski was in opposition, his publications supported Prime Minister Borissov (GERB) and at the same time carried out black PR campaigns against opponents of himself and Borissov. Galya Prokopieva, managing director of *Economedia*, called Peevski "one of the architects" of media capture in Bulgaria (Dzhambazova, 2022, p. 10). Indeed, "[w]hile GERB campaigned on ending corruption, Borissov built a strong network of patronage supported by oligarch-owned media. And as Borissov was enjoying the loyal support of the media, Peevski's accumulation of wealth, power and influence appeared to grow (Dzhambazova, 2022, p. 11).

At various times, Peevski's influence had been mentioned in relation to other newspapers and websites, and three smaller television channels. An analysis by the Center for the Study of Democracy (CSD) reported that:

The '*Empire*' became more prominent after the Peevski-Krasteva<sup>7</sup> – CCB configuration acquired the largest printing house in the Balkans – IPC "Rodina". The *Empire* became formidable the moment it acquired about 70–80% of the firms that distribute print publications. (Bezlov et al., 2016, p. 15).

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<sup>7</sup> Peevski's mother.

In 2013, Peevski as a Member of Parliament, was at the epicenter of a huge scandal. He was elected head of the State Agency for National Security by the then-majority in which his party was junior partner to the socialists, but resigned a day later after mass protests that turned into year-long anti-corruption demonstrations. In June 2021, he was sanctioned under the Magnitsky global anti-corruption law. The U.S. Department of the Treasury press release described Peevski as:

an oligarch who previously served as a Bulgarian MP and media mogul and has regularly engaged in corruption, using influence peddling and bribes to protect himself from public scrutiny and exert control over key institutions and sectors in Bulgarian society. (U.S. Department of the Treasury, 2021)<sup>8</sup>.

Another “character” from the “Magnitsky” list is the gambling entrepreneur Vassil Bozhkov, adjacent to political power, especially to the then GERB government, whom the US Department of Treasury describes as “a Bulgarian businessman and oligarch, has bribed government officials on several occasions. These officials include a current political leader and the former Chairman of the now-abolished State Commission on Gambling (SCG)” (U.S. Department of the Treasury, 2021). In 2020, Bozhkov had his gambling business “taken over” by the state, had numerous charges raised against him and re-located to Dubai. Bozhkov announced that under the pressure from Prime Minister Borissov and Finance Minister Goranov, he had promised BGN 200 million (approximately EUR 100 million) in advertising for a period of 10 years on Kiril Domuschiev’s *Nova TV*, in return for “full support in the gambling commission with the aim of regulating the business and complying with the laws”. Domuschiev called the note “manipulation”, but did not reject its authenticity (Drumeva, 2020)<sup>9</sup>. The other major private broadcaster, *bTV*, also received large amounts of advertising from him, although on paper the law prohibits gambling advertising.

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<sup>8</sup> In December 2020, seemingly out of the blue, it became known that Peevski was selling his newspapers, in the meanwhile with greatly reduced circulation and characterized by their low quality at the beginning, to the company that bought *Nova TV* – the United Group. Most likely, the sale was related to his subsequent sanctions under the Magnitsky Act.

<sup>9</sup> In December 2023, the prosecutor’s office announced that the case for the blackmail of the gambling boss Vasil Bozhkov from former Prime Minister Borissov and his finance minister Goranov was terminated. The main motive is a lack of evidence of a crime.

### THE CAPTURE OF *NOVA TV* (2019–2021).

Kiril Domuschiev, one of the richest Bulgarian businessmen, with interests in the pharmaceutical business, maritime transport, football and other fields, bought together with his brother the most powerful media group in Bulgaria – Nova Broadcasting Group (NBG), which included the Net Info Group (an online market leader) from the Scandinavian MTG in 2019. After the change of ownership of the media group, its editorial policy in support of the ruling party GERB, which until then was more moderate, became more evident. Domuschiev, who was also the chairman of the Confederation of Employers and Industrialists in Bulgaria (CEIB), demonstrated close relations with the governing body. “According to the Media Pluralism Monitor report, over the past two years, under Domuschiev, “the company has dismissed more than 60 people from different departments, including prominent anchors, reporters and editors” (Dzhambazova, 2022, p. 13). In early 2021, Domuschiev sold NBG to the foreign United Group, which had previously acquired Bulgarian telecom *Vivacom*.

The most scandalous aspect about Domuschiev’s purchase of *Nova TV* is that Czech billionaire Petr Kellner wanted to acquire it before him for the same price of 185 million euros.<sup>10</sup> Kellner already owned *Telenor Telecom* in Bulgaria and had successful experience in media management in the Czech Republic. The deal was not authorized by the Commission for the Protection of Competition (CPC), headed by the former deputy mayor of Sofia from GERB, Yulia Nenkova, citing the risk of concentrating the advertising market. But in principle, the CPC does not effectively counter the high levels of media concentration seen in the oligopoly of the two leading TV groups in the advertising market.<sup>11</sup>

“The captured country also has captured media. Borisov’s state, through its close businessman Domuschiev, took over a normal media group and turned it into a propaganda one,” Nelly Ognyanova summarized the situation in *Nova TV* for the Bulgarian portal of *Free Europe*. (Mitov, 2020). Journalist Ivan Bakalov explains that in this transaction:

a Bulgarian oligarch bought a television (referring to the acquisition of *Nova TV* by Kiril Domuschiev – I.I.) (...). What is suspected and is obvious is that he was made to buy it by the sole feudal lord Boyko Borisov. The strongest leader in recent years, who, like Putin, has good and bad oligarchs. (Indzhov, 2020c, expert interview).

<sup>10</sup> In late 2019, Kellner bought bTV Media Group from US media company CME without issue.

<sup>11</sup> bTV Media Group and Nova Broadcasting Group account for 92% market share of total gross TV advertising revenue. This is equivalent to almost 80% of the entire advertising market. (Data is for the first half of 2021, source: GARB, 2021, in Media Club, 2021, p. 12).

In this regard, the sociologist Zhivko Georgiev, drawing parallels with the countries of the Mediterranean media model, comments that because of the rule of law, real political pluralism and strong civil societies, with the potential to exert pressure, does not exist in any

southern European country in more recent times – after the Franco era and the “Regime of the Colonels” in Greece, the state has never had the tools to subjugate the media that the states and the ruling elite hold in much of Eastern Europe. (Indzhov, 2020b, expert interview).

### **CAPTURE AND CESSATION OF THE SMALL TV *BiT*.**

The TV station *BiT* started broadcasting in 2015 and was owned by two Bulgarian businessmen brothers who emigrated to the USA. Through the quality and pluralism of viewpoints on the station’s talk shows, including criticism of GERB, the television provided an alternative which was favorable to large televisions. However, *BiT* could not support itself just through advertising. In 2018, it was sold to a TV producer, apparently a “straw man” who allegedly wanted to produce interactive TV. Soon after the sale, it was gagged: all non-news and sports programs were suspended, and sometime later it ceased broadcasting altogether.

## **THE CAPTURE OF BULGARIAN MEDIA AS A RESEARCH CHALLENGE**

The article emphasized, through the methods employed, the differences between the two concepts of the subjugation of the media: instrumentalization and capture in the Bulgarian context. Based on an international typology (Dragomir, 2019, IPI, n. D.), the article distinguished between the four forms of media capture in Bulgaria. The first is regulatory capture, such as of the Council for Electronic Media, the Financial Supervision Commission and the Commission for the Protection of Competition. The second is the control of public service media (BNT and by a small degree of BNR). The third is the use of state financing as a control tool in the state funding of public service media, state advertising, inclusive promotion in line with the EU-programmes and media service of municipalities. The fourth is ownership takeover as explained in previous section. The articles described how seriously deteriorated is the media environment in Bulgaria in the second decade of the 21st century. In the future, it could be studied whether the increasingly more frequent application of all forms of pressure against critical journalists and media (e.g. the “legal harassment and the intimidation of media” and “smear campaigns” (Dzhambazova, 2019,

pp. 22–23, pp. 25–26) could be singled out as an independent form of media capture, aimed mostly at imposing self-censorship.

The weakness of free media in Bulgaria and their political-oligarchic dependencies show that the key to the study of the Bulgarian media system should be sought not only in the specifics of national development but through parallels, especially with some of the former communist countries in Europe, and with flawed democracies in other world regions, e.g. Latin America. In such countries, media capture is an existential problem for the future of their societies and democracy, in contrast to the more “traditional” instrumentalization of the media in countries such as southern European ones. As sociologist Zhivko Georgiev notes, in the countries in Southern Europe, there are:

a developed civil society, developed political pluralism and even, a developed corporate media world, which is not an oligarchic one. In our country, there is a symbiosis between the political and oligarchic elite and the media elite, subordinate to the former two. And there is no rule of law – neither in our country, nor in Hungary, nor in Poland, there is hardly any in Slovakia either. So, we are a world apart. (Indzhov 2020b, expert interview).

Georgiev emphasized in that interview that “Bulgarian oligarchs without a state umbrella and public procurement would be incapacitated economic entities. That is not like Berlusconi”.

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