

MONITORING MEDIA PLURALISM IN THE DIGITAL ERA

APPLICATION OF THE MEDIA PLURALISM MONITOR IN THE EUROPEAN UNION, ALBANIA, MONTENEGRO, REPUBLIC OF NORTH MACEDONIA, SERBIA & TURKEY IN THE YEAR 2022

Country report: Luxembourg

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Research Project Report

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1. About the project

1.1. Overview of the Project

The Media Pluralism Monitor (MPM) is a research tool that is designed to identify potential risks to media pluralism in the Member States of the European Union and in Candidate Countries. This narrative report has been produced on the basis of the implementation of the MPM that was carried out in 2022. The implementation was conducted in 27 EU Member States, as well as in Albania, Montenegro, The Republic of North Macedonia, Serbia and Turkey. This project, under a preparatory action of the European Parliament, was supported by a grant awarded by the European Commission to the Centre for Media Pluralism and Media Freedom (CMPF) at the European University Institute.

1.2. Methodological notes

Authorship and Review

The CMPF partners with experienced, independent national researchers to carry out the data collection and to author the narrative reports, except in the case of Italy where data collection is carried out centrally by the CMPF team. The research is based on a standardised questionnaire that was developed by the CMPF.

In Luxembourg the CMPF partnered with Dr Raphael Kies and Dr. Stephanie Lukasik (University of Luxembourg), who conducted the data collection, scored and commented on the variables in the questionnaire and interviewed experts. The report was reviewed by the CMPF staff. Moreover, to ensure accurate and reliable findings, a group of national experts in each country reviewed the answers to particularly evaluative questions (see Annexe II for the list of experts). For a list of selected countries, the final country report was peer-reviewed by an independent country expert.

Risks to media pluralism are examined in four main thematic areas: Fundamental Protection, Market Plurality, Political Independence and Social Inclusiveness. The results are based on the assessment of a number of indicators for each thematic area (see Table 1).

Fundamental Protection	Market Plurality	Political Independence	Social Inclusiveness
Protection of freedom of expression	Transparency of media ownership	Political independence of the media	Representation of minorities
Protection of right to information	Plurality of media providers	Editorial autonomy	Local/regional and community media
Journalistic profession, standards and protection	Plurality in digital markets	Audiovisual media, online platforms and elections	Gender equality in the media
Independence and effectiveness of the media authority	Media viability	State regulation of resources and support to the media sector	Media Literacy
Universal reach of traditional media and access to the Internet	Editorial independence from commercial and owners' influence	Independence of PSM	Protection against disinformation and hate speech

Table 1: Areas and Indicators of the Media Pluralism Monitor

The Digital Dimension

The Monitor does not consider the digital dimension to be an isolated area but, rather, as being intertwined with the traditional media and the existing principles of media pluralism and freedom of expression. Nevertheless, the Monitor also extracts digitally specific risk scores, and the report contains a specific analysis of the risks that related to the digital news environment.

The Calculation of Risk

The results for each thematic area and Indicator are presented on a scale from 0 to 100%.

Scores between 0% and 33%: low risk

Scores between 34% and 66%: medium risk

Scores between 67% and 100%: high risk

With regard to the Indicators, scores of 0 are rated as 3%, while scores of 100 are rated as 97%, by default, in order to avoid an assessment that offers a total absence, or certainty, of risk.

Methodological Changes

For every edition of the MPM, the CMPF updates and fine-tunes the questionnaire, based on the evaluation of the tool after its implementation, the results of previous data collection and the existence of newly available data. For the MPM 2023, no major changes were made to the questionnaire, except for the Indicators Transparency of Media Ownership, Plurality in Digital Markets and Editorial Independence from Commercial and Owners Influence (Market Plurality area), and Protection Against Disinformation and Hate Speech (Social Inclusiveness area). The results obtained for these indicators are therefore not strictly comparable with those results obtained in the previous edition of the MPM. The methodological changes are explained on the CMPF website at <http://cmpf.eui.eu/media-pluralism-monitor/>.

In the Market Plurality area, the names of three Indicators have changed. The former indicator on "News Media Concentration" is now named "Plurality of Media Providers"; "Online Platforms and Competition Enforcement" has been renamed as "Plurality in Digital Markets"; "Commercial & Owners' Influence Over Editorial Content" has been renamed as "Editorial Independence from Commercial and Owner Influence".

Disclaimer: The content of the report does not necessarily reflect the views of the CMPF, nor the position of the members composing the Group of Experts. It represents the views of the national country team who carried out the data collection and authored the report. Due to updates and refinements in the questionnaire, MPM2023 scores may not be fully comparable with those in the previous editions of the MPM. For more details regarding the project, see the CMPF report on MPM2023, which is available on: <http://cmpf.eui.eu/media-pluralism-monitor/>.

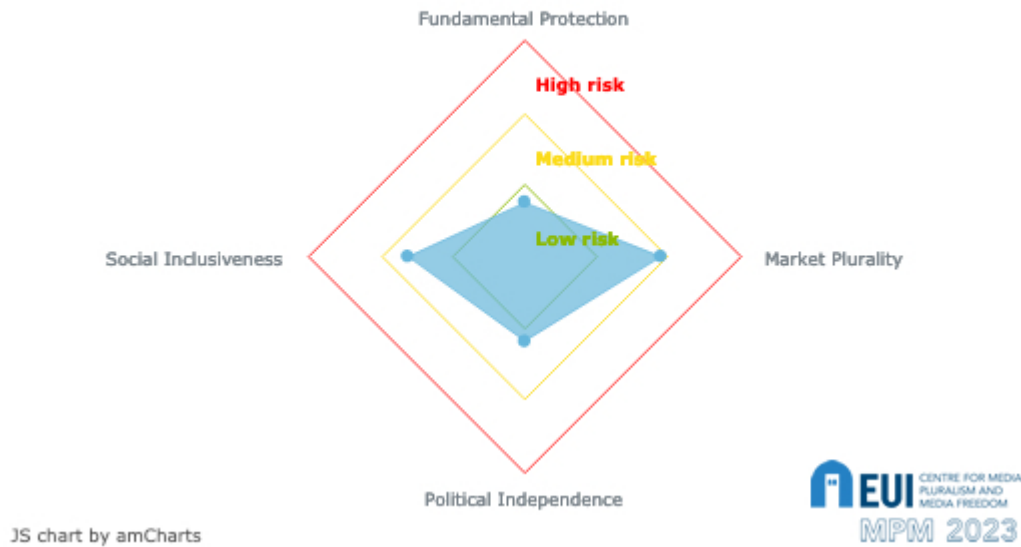
2. Introduction

- **Country overview:** With 645,397 inhabitants, Luxembourg is one of the smallest but also richest and most politically stable countries in Europe. The country is largely dependent on a foreign working force (the number of inhabitants being insufficient to cover labour requirements), which explains that there is a persistently high migration rate (47.1% of foreigners on 1st January 2022) and an increasing number of cross-border workers (around 220,000 in 2022, that to say 10,000 more than in 2021) - from France, Belgium, and Germany. This demographic feature creates political and social challenges not only in terms of social cohesion but also in terms of democratic legitimacy.
- **Languages and minorities:** The linguistic situation in Luxembourg is highly complex and peculiar as it is characterized by the practice and the recognition of three official languages (also referred to as administrative languages): French, German, and the national language Luxembourgish, established by law in 1984. Many other languages are spoken, Portuguese (the largest foreign community) and English (essentially spoken by employees of financial institutions and international organizations). While there are several commercial radio channels targeting this multilingual public (e.g. L'essentiel for the French-speaking community, Radio Latina for the Portuguese-speaking community or Radio ARA for the French, English, Arabic and Italian-speaking communities), the PSM (i.e. Radio 100,7) and RTL - the main commercial radio and television company, that has public service missions - broadcast mainly in Luxembourgish. RTL as however, extended its online multilingual offer by creating an English Radio (RTL Today) and a French and English website (RTL 5 Minutes and RTL Today).
- **Economic situation:** The country's increase in the annual gross domestic product (GDP) reached 5.1%. Luxembourg has the highest GDP per capita in the world. The inflation rate was 4.8% in 2022.
- **Political situation:** Luxembourg is a very stable country with strong political parties and powerful trade unions. The Christian-Social People's Party (CSV) has been Luxembourg's largest party at the national level since 1945 and has governed all ruling post-war political coalitions except for the periods from 1974 to 1979 and since 2013. For the last two terms, the electoral coalition has been composed of the Liberal Party (DP), the Socialist Party (LSAP) and the Green Party (Déi Gréng).
- **Media market:** The media market in Luxembourg is limited and highly fragmented in linguistic and cultural terms. The media offer is rich compared to its size and the number of inhabitants. The print sector includes four daily newspapers^[1], one free daily newspaper (l'Essentiel), and several magazines, weeklies, and monthlies. There are several online news media and TV stations, among which only one (RTL) offers a daily programming, but residents also have access to channels from the neighboring countries. The TV market is dominated by RTL, that has "public service missions" but is not a "public service media" (PSM), in so far as it is primarily a commercial media. There are five private radio stations with national or broad coverage and only one radio broadcaster (Radio 100,7) that is officially recognized as a public service media. Despite the apparent diversity, there is a very large concentration (horizontal and vertical) of the market, since most of the national press belongs to two publishing houses while the radio and television sectors are dominated by one group (CLT-UFA). The country also exercises an important role in the management of international media concessions. Internet coverage is very good across the country.
- **Regulatory environment:** Since the Treaty of London of April 19, 1839, the Grand Duchy of Luxembourg has been an independent sovereign state. Luxembourg is a parliamentary democracy and

a constitutional monarchy. Grand Duke Henri is the Head of State and Xavier Bettel, the Prime Minister. Regarding legislative procedures, there is the Chamber of Deputies, the government and the Council of State. The Chamber of Deputies is made up of 60 deputies elected by universal suffrage every five years. The Council of State is made up of 21 councilors appointed by the Grand Duke.

3. Results of the data collection: Assessment of the risks to media pluralism

Luxembourg: Media Pluralism Risk Areas



The Luxembourg media landscape remains globally stable in 2022. Compared to last year, the level of risk remains unchanged for **Fundamental Protection** (low risk, 25%), **Market plurality** (medium risk, 63%), **Political Independence** (medium risk, 39%) and **Social Inclusiveness** (medium, 54%).

With regards to **Fundamental Protection** area (low risk, 25%): independence and effectiveness of the media authority (23%), journalistic profession, standards and protection (20%), protection of freedom of expression (23%), protection of right to information (45%), universal reach of traditional media and access to the internet (15%).

In February 2022, following the EU's measure to ban Russian media in Europe, the Luxembourg government ordered the European Satellite Society (SES) to stop broadcasting the two TV channels Russia Today (RT) and Sputnik. This decision has been contested in the European Court of Justice, and one of these actions is still pending. We also observe a sensible decrease in professional journalists compared to last year. This partly comes as a surprise since the new aid regime (adopted in 2021) for professional journalists is calculated according to the number of professional journalists employed in the editorial staff and no longer according to the number of pages published. Lastly, in the Luxleaks affair, the European Court of Human Rights considered that Luxembourg had violated Article 10 relating to freedom of expression of the European Convention on Human Rights and ordered Luxembourg to pay damages.

Regarding **Market Plurality** area (medium risk, 63%): editorial independence from commercial and owners influence (23%), media viability (51%), plurality in digital markets (88%), plurality of media providers (97%), transparency of media ownership (58%).

Luxembourg continues to have a highly concentrated media landscape and an ownership structure that is not fully transparent and accessible. There are no legal provisions to limit horizontal or cross-concentration of news media. In May 2022 the parliament voted the bill that secures RTL's presence in Luxembourg (and probably also is dominant position) in the TV, radio, and internet sectors until 2030. Based on this new agreement, the State will pay up to 15 million euros annually to RTL for securing the public service mission for television and extending them to the radio and internet. Media viability can hardly be assessed since the

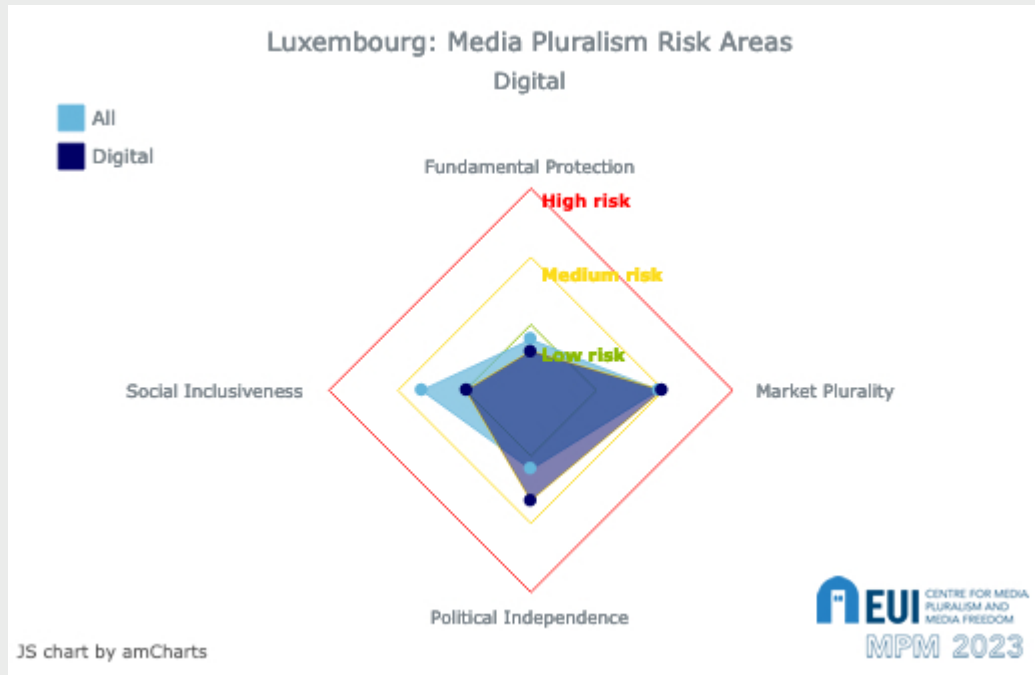
revenues of the media in Luxembourg are not public. We however observe that advertising revenue for television, radio and press is stagnant or declining.

Concerning the **Political Independence** area (39% - medium risk): the indicators scoring the highest level of risk in the area are Political independence of the media (63%) and state regulation of resources and support to media sector (58%), both presenting a medium risk level. The remaining three indicators score a low risk: Editorial autonomy (25%), Audio visual media online platforms and elections (30%), Independence of public service media (21%). The national audiovisual sector can be considered as rather independent; it should be noted, however, that the nomination of the board of CLT-UFA (a subsidiary of the RTL Group, that controls RTL Télé Luxembourg) is partly defined by a political logic. Ties of print press with politics weakened in the past decade, and only the communist journal "Zeitung vum Lëtzebuurger Vollek" can still be called a real party newspaper. On Editorial autonomy, while there is no regulation or law guaranteeing autonomy when appointing and dismissing editors-in-chief, the actual practice in Luxembourg is at low risk in this regard. Under the indicator Audiovisual media, online platforms and elections, transparency of online paid political advertising appear to be particularly problematic. The indicator State regulation of resources and support of the media sector evidences that, although a precise set of criteria is available for indirect aid, it is not clear whether they are always fair or transparently respected in the allocation of aid. Finally, the law voted on July 2022 on the organization of the public establishment "Public Service Media 100.7" guarantees a PSM adapted to contemporary international standards. Its political independence is reinforced through the new and innovative nomination procedures of the board and the obligation to have an editorial status that regulates internal relations.

As far as **Social Inclusiveness** area is concerned (54% - medium risk) : Gender equality in the media (81%), Local/regional and community media (25%), Media literacy (27%), Protection against disinformation and hate speech (61%), Representation of minorities in the media (75%).

The audiovisual sector and the PSM (i.e. radio 100.7) are still dominated by the usage of Luxembourgish and media accessibility for people with disabilities is insufficient. Gender equality in the media is also extremely critical, particularly in managerial and leadership positions. In addition, Media literacy and Protection against disinformation and hate speech also raise challenges. Even if tackling disinformation has given rise to initiatives, particularly among young people (children and teenagers), the national strategy doesn't include initiatives among young adults, who constitute an equally vulnerable population. There is moreover still no training dedicated to journalism with a focus on the transformed informational ecosystem through social media and AI.

Focus on the digital environment



For the digital aspects of the four areas, **Online Fundamental Protection** (19%), **Online Market Plurality** (65%), **Online Political Independence** (54%), and **Online Social Inclusiveness** (32%) are placed in different risk categories.

Online Fundamental Protection (19%) is low-risk category. A new circular (called Bettel 2) was put in place in June 2022 to improve public administration transparency for journalists. The latter is, however, still criticized by journalists because they always deplore a difficulty in accessing information. In addition, public access to the Register of Ultimate Beneficial Owners (RBE) has been suspended due to the judgment of the Court of Justice of the European Union (CJEU) on November 22, 2022. It was subsequently restored on December 21, 2022, only for the press and a limited number of professions, provided they have a legitimate interest in consulting it.

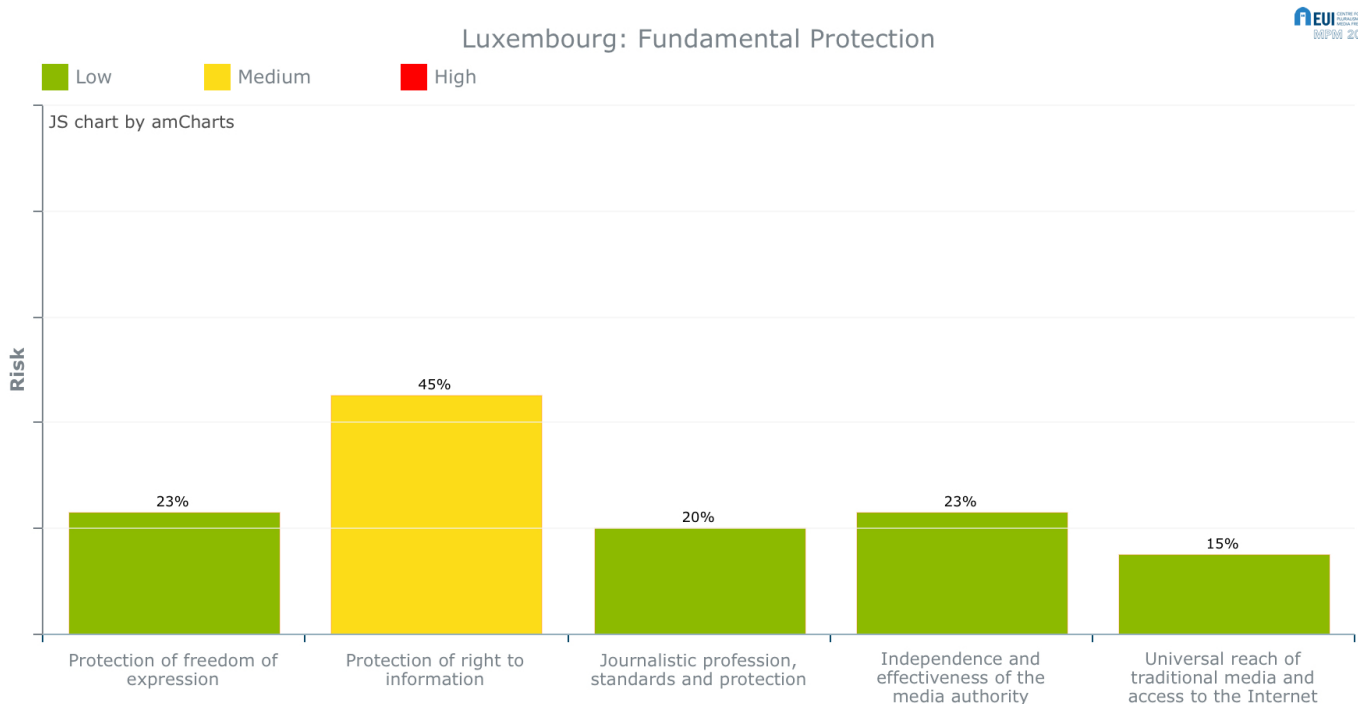
Online Market Plurality (65%) is medium-risk category. Despite the growing importance of the online information environment, Luxembourg still misses quantitative and qualitative research on online information consumption, audience, and advertising.

Online Political Independence (54%) is medium-risk category. On July 2022 the parliament voted a bill aiming at regulating and supervising the political campaigns in the electoral period occurring in RTL and radio 100.7 under the supervision of ALIA. The regulation and supervision of the campaign however does not apply to the private media and the internet (in particular, the social media). The new bill also does not introduce a specific regulation for the paid political advertisements.

Online Social Inclusiveness (32%) is medium-risk category. The initiative to fight disinformation is limited to Bee secure and to hub Edmo Belux. These initiatives are not sufficient as they cover a limited number of media (indeed only RTL is part of the Edmo Belux consortium) and are still not well known among the population.

3.1. Fundamental Protection (25% - low risk)

The Fundamental Protection indicators represent the regulatory backbone of the media sector in every contemporary democracy. They measure a number of potential areas of risk, including the existence and effectiveness of the implementation of regulatory safeguards for freedom of expression and the right to information; the status of journalists in each country, including their protection and ability to work; the independence and effectiveness of the national regulatory bodies that have the competence to regulate the media sector, and the reach of traditional media and access to the Internet.



As in 2022, the indicator **Protection of freedom of expression** scores a low risk (23%).

Freedom of expression is explicitly recognized in the Constitution and protected by national law on Freedom of Expression of June 8th, 2004 (amended in 2010). Luxembourg has also signed and ratified important international treaties: the European Court of Human Rights (ECHR) (1953) and the International Covenant on Civil and Political Rights (ICCPR) (1983). However, in June 2022, the UN Human Rights Committee asked Luxembourg to explain its reservation to Article 19, paragraph 2 (No one may be disturbed for his opinions) of the International Covenant on Civil Rights and Policies. Indeed, in December 2004, the Government of Luxembourg accepted the provision in Article 19, paragraph 2, if it does not preclude it from requiring broadcasting, television, and film companies to be licensed. The Luxembourg government thus seems to want to retain its right to authorize or not the audiovisual media to disseminate information. At present, the reservation is not withdrawn, but it will be reconsidered. In addition, Luxembourg has reported several advances in terms of freedom of expression and the protection of the rights of journalists and the media. To further protect the freedom of expression of journalists and their exercise, it is planned to do the practice of doxing, the dissemination of the personal information of journalists, punishable.

Cases of defamation remain rare. In 2022, an anti-vax activist, Peter Freitag, was convicted of defamation for having accused two doctors of Nazi practices. Besides, the Lunghi case is still ongoing^[2]. The judicial inquiry clarified the responsibilities of the former members of RTL on July 14, 2022. The defendants will appear before correctional judges mainly for defamation and involuntary assault and battery against Enrico Lunghi. The date of appearance remains to be determined^[3].

The indicator **Protection of the right to information** increases from low risk (32%) in 2021 to medium risk (45%) in 2022.

The right to information has been enshrined in Luxembourg's legislation in September 2018, but not in the constitution. Access to administrative documents is guaranteed by article 7 of the Law of 14 September 2018 on transparent and open administration. This law ensures that every natural or legal person has the right to access to documents held by the public authorities. The law is complemented by two ministerial circulars, called Bettel 1 (in January 2016) and Bettel 2^[4] in June 2022 which repeals and replaces that of 2016. The first circular was criticized by journalists as it did not give them a rapid and direct access to information (see MPM 2022^[5]). The new circular aims to satisfy their demand by giving instructions to best organize the flow of information and respect the response times required for journalistic work^[6].

The president of Press Council Roger Infalt (see MPM 2022^[7]) recognized that the new directive is a progress compared to the past one but estimates that these measures should be included in the law. The PM responded to a parliamentary question that the government does not plan to modify the law in a near future. Instead, the government will first evaluate the application the 2018 law on transparent and open administration and of the new circular Bettel 2 before envisioning a modification of the law. This evaluation should take place within six months after the adoption of the circular.

While transparency to public document is improved through the new circular, public access to the Register of Beneficial Owners (RBE) had been suspended due to the judgment of the Court of Justice of the European Union (CJEU) of November 22, 2022. Access was then restored for the press on December 21, 2022. This access is managed by the Luxembourg Press Council within the framework of an agreement with Luxembourg Business Register (LBR) which was concluded on December 20, 2022. According to this agreement, the Press Council can grant access to the consultation of the RBE to holders of a professional journalist's press card issued by this same Press Council (Gouvernement.lu, 2023^[8]).

Regarding the protection of whistleblowers, the Bill transposing DIRECTIVE (EU) 2019/1937 on the protection of persons who report violations of Union law was tabled on January 10, 2022, in the Chamber of Deputies^[9]. The Bill is currently under review (Chambre des Députés, 2023). In addition, in the Luxleak affair, Raphael Halet, the former PWC employees who leaked between 2021 and 2014 documents detailing the arrangements made between the Luxembourg tax authorities and the PWC office, has been recognized by the European Court of Human Rights as a whistleblower. The European Court of Human Rights considered that Luxembourg has violated Article 10 relating to freedom of expression of the European Convention on Human Rights and ordered Luxembourg to pay him 15,000 euros in damages, as well as 40,000 euros for costs and expenses related to the legal proceedings.

The indicator **Journalistic profession, standards and protection** presents a low risk (20%). The protection of professional standards in Luxembourg has been formally attributed to the Press Council (Conseil de Presse^[10]), a public law body. It is composed of journalists (50%) and representatives of media companies (50%) designated by ALJP (Association Luxembourgeoise des Journalistes Professionnels) and ALMI (Association Luxembourgeoise des Médias d'Information) respectively. The Press Council adopted in 2006 a code of deontology (Conseil de Presse, 2006), replacing an earlier version from 1995. Members of the public can introduce complaints regarding press articles or other media to the Press Council. These complaints will be handled by a "Commission des plaintes", presided by an independent jurist. The Press Council can also address violations of professional standards from its own initiative. It should be noted that no decision for complaints were published on the website in 2022. According to the ex-president of the Press Council, Jean-Lou Siweck: "Even if no decision was published in 2022, this does not necessarily reflect the absence of complaints. Indeed, the Commission also acts as mediator. If the parties find a common understanding about the disputed publication, the Commission accepts this as outcome. A formal decision is only taken when either party insists on it. The number of complaints received and the number of decisions rendered does therefore differ, often significantly." The Luxembourg Association of Professional Journalists (ALJP) is also involved in the defense of the journalists' interest and the respect of professional

standards. It is composed of professional journalists (salaried or freelance) recognized by the Press Council or by an equivalent foreign institution. Since July 12, 2022, the ALJP introduced in its website a form for filing complaints when the application of the circular "Bettel 2" relating to duties of State agents to inform the press. It is however do not indicated how many complaints were so far expressed. The third association that plays a role in the protection of the journalist standards and interests is the "Luxembourg Association of News Media" (ALMI). It brings together the 12 publishers represented on the press council. While it essentially defends the interests of the editors, they also commit to fight against any attempt to oppose or limit the freedom of expression. This association is however largely unknown to the public, as it does not have a website that would present their actions and the members of its board.

New law regarding the public funding of the journalistic profession, aims to contribute to maintain a fair level journalist diversity and safe working conditions^[11]. However, critics of this new press aid scheme have argued that as a result, companies will be incited to lay off senior journalists (who are usually better paid) to replace them with young journalists. That way, they can reach the minimum number of journalists needed to get the press aid and save HR costs at the same time. On the other hand, the generous direct and indirect state support to almost all the media (public media, press both off and online, community media) makes life of journalists more bearable than in other countries where the state is less supportive. There are indeed some media that particularly took advantage of this new funding scheme, particularly the online news media (such as the media of the Maison Moderne group, the free journal *essentiel.lu* and *reporter.lu*). The aid encouraged the employment of journalists on permanent contracts, leading to a decrease of freelance journalists in Luxembourg. According to the Press Council's list of journalists, only 12 are registered as freelance journalists out of a total of 371 active journalists. Indeed, this status is precarious because freelance journalists, unlike journalists under contract, have to pay for their social insurance.

As for last year, the indicator on **Independence and effectiveness of the independent Luxembourgish authority of audiovisual** (ALIA) presents a low risk (23%). ALIA acts largely independently and in compliance with legal provisions. The modified Law on Electronic Media (27.07.1991 modified on August 12, 2022^[12]) holds that the media authority is a public establishment of independent administrative character. According to Art. 35bis of the Law on Electronic Media, the Grand Duc nominates all five members of the Executive Board on the proposal of government in council for a limited but renewable term of five years. The Director is also chosen by the government, but the board has the right to give its opinion before the nomination. The Director is a public servant, and the vacancy needs to be officially announced. Appointed candidates cannot be members of government, Parliament, Council of State, European Parliament, municipal bodies, nor hold office in an entity under the supervision of ALIA or have direct or indirect interests in a company or other organization falling under the competence of ALIA. In contrast, there is no clear procedure on how the government selects and agrees on a candidate for the Executive Board, i.e. there is no official posting of the vacancy and the selection procedure is not entirely transparent.

There are different factors that underline potential fragilities, some of which were already exposed in the last year report (MPM, 2022). Firstly, ALIA's independence is potentially at risk since the five members of the board are nominated by the government as well as its director following the opinion of the board. Secondly, it does not have the human resources and competences to deal efficiently with the many tasks allocated to it by law. The number of channels the authority is supposed to control in different languages dramatically increased to reach around 400 in 2022, due in part to the Brexit. The exit of the country from the EU has resulted in the migration of channels to Luxembourg because they are broadcasted via the Luxemburgish satellites from SES-Astra. It should be noted that the human resources have increased under new director Paul Lorenz – to reach 13 permanent members - but this seems to be still insufficient, also in view of the new tasks the regulator received: the supervision of the elections, the transposition of the Audiovisual Media Services Directive (AVMSD) and the coming Digital service act (DSA) Regulation. Thirdly, ALIA does not

have the competence to award national and international frequencies. Its competence is limited to regional and local ones, while all other frequencies are awarded by the government. This implies that the government directly takes the most strategic decision concerning the attribution of national and international licenses. Fourthly, the sanctions pronounced by the board of directors appear to be largely insufficient: 25,000 euros is the maximum fine that ALIA can impose. Even though the budget increased in 2022, is not sufficient in the sense that the authority still lacks human resources to perform its functions adequately. Finally, ALIA will have new mission in organizing and supervising the elections in 2023. It goes without saying, that a group of merely 13 people - a majority of whom have no background in media regulation – is not sufficient to correctly fulfill these tasks.

The indicator **Universal reach of traditional media and access to the Internet** continues to show low risk (15%, compared to 17% in 2021).] As indicated in the precedent reports, there is no obligation (in law or in conventions) for universal coverage of public service media. Nevertheless, after receiving a second radio frequency in July 2017, the national public service radio (Radio 100.7) reached almost universal coverage^[13]. As far as internet coverage is concerned, 99.4% of the households have broadband coverage in Luxembourg^[14]. Post Luxembourg dominates the market share with about 58,5%, followed by Proximus (17%), Eltrona Interdiffusion (7,8%) and Luxembourg online (7,4%) and Orange communications Luxembourg (5,8%). Regulatory safeguards regarding net neutrality are implemented in Luxembourg in accordance with Regulation (EU) 2015/2120 laying down measures relating to open access to the Internet.

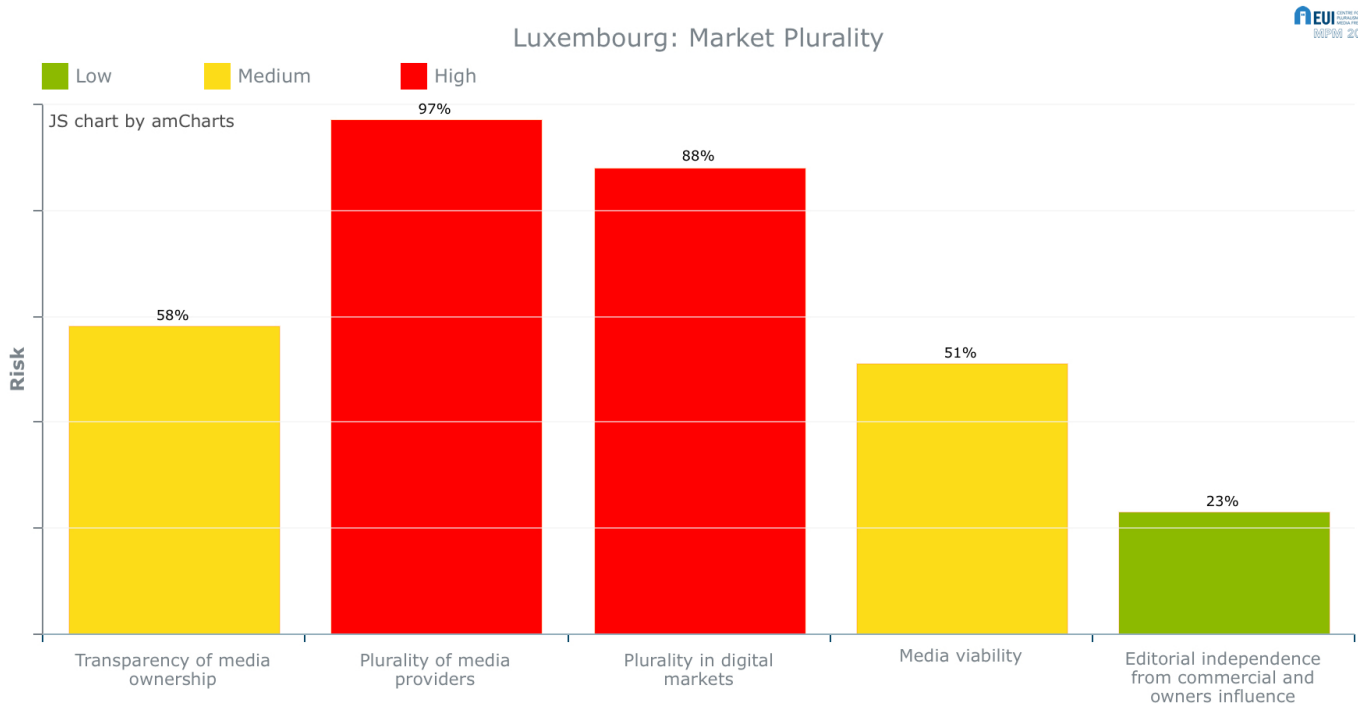
Focus on the digital environment

Although freedom of expression is strongly protected, there has been one controversial case this year. One case concerns the EU ban on Russian media, which follows last year's Luxembourg decision to deprive German RT of being able to have a license in Luxembourg. In February 2022, following the EU's measure to ban Russian media in Europe, the Luxembourg government ordered the European Satellite Society (SES) to stop broadcasting the two TV channels Russia Today (RT) and Sputnik. According to the PM, Xavier Bettel, these channels were used above all as vectors of Russian propaganda to misinform about the war in Ukraine. It should be noted that this decision has, however, been challenged nationally and abroad. In Luxembourg, there were two parliamentary questions. Fernand Kartheiser, MP from the ADR, questioned in March 2022 the constitutional nature of such a ban^[15]. And two MPs from the CSV, Laurent Mosar and Diane Adehm, asked first if the PM is aware that a national newspaper (which name is not mentioned) is also doing a pro-Russian propaganda and, second, whether such a publication should benefit from public subsidies^[16]. In the Netherlands, a coalition composed by Internet service providers (ISPs), the National Association of Journalists (NVJ) and civil rights organization Bits of Freedom submitted a request to stop the ban on RT and Sputnik at the Court of Justice of the European Union on May 23, 2022. This request was previously seized by RT France and was rejected on July 27, 2022 (Affaire T 125/22 RT France against European Council, Arrêt du Tribunal (grande chambre^[17])). There is also a divergence of interpretation between the government and the commission concerning the diffusion of the banned Russian channels outside the EU through SES, in Africa and in India. The vice president of the Commission, Vera Jourova, declared on November 29 that: "EU-based entities are prohibited from facilitating or contributing to the dissemination of sanctioned media. This concerns distribution to third

countries. We expect companies to fully comply with the sanctions.” The government, which directly or indirectly owns around 30% of SES, considers that SES would not fall under the sanctions by broadcasting sanctioned channels in Africa and India. “For Ms Jourova, it is a question of broadcasting to third countries, but the examples of SES customers concern broadcasting from a third country to a third country – so these are two different cases”. This is an interpretation that is rejected by the commission, which considers that the prohibition does not apply only to dissemination activities but also to those that enable, facilitate, or otherwise contribute to dissemination (Caregari, 2022^[18]).

3.2. Market Plurality (63% - medium risk)

The Market Plurality area considers the economic dimension of media pluralism, assessing the risks deriving from insufficient transparency in media ownership, the concentration of the market in terms of both production and distribution, the sustainability of media content production, and the influence of commercial interests and ownership on editorial content. The actors included in the assessment are media content providers, with indicators including Transparency of media ownership, Plurality of media providers, Media viability, Editorial independence from commercial and ownership influence, and digital intermediaries (with the indicator on Plurality in digital markets).



Transparency of media ownership (58%, medium risk)

The indicator on transparency of media ownership scores a medium risk with a value of 58% (compared to 72% in 2022). The national law contains specific provisions requiring the disclosure of ownership details in the media sector, but it's limited to print press. According to Article 66 of the Law on Freedom of expression ^[19], only the identity of the following people must be disclosed: (1) people holding directly or indirectly more than 25 per cent of the legal capital of the legal person, (2) people composing the administrative and management bodies, as well as (3) people in charge of the management of the company. This information is to be published once a year, in the first edition or the first delivery. These legal provisions are not applicable to the online version of the print media and to online media (including digital native media). The disclosure of ownership structure for online media depends on the goodwill of the media. For example, Moien.lu does not list its beneficial owners while reporter.lu does. Besides, national media law does not provide for sanctions in case of violations of transparency requirements for the media sector. Lastly the law on freedom of expression specifically indicates in Article 69 that these provisions do not apply to electronic media regulated in the law of 1991 on electronic media. The Law on the Electronic Media, which covers broadcast (television and radio) and video sharing platforms, does not specifically set out ownership disclosure obligations but does allow to consult them on demand. Disclosure of electronic media ownership is provided on demand by ALIA and Ministry of State.

Unlike some countries, there is no updated infographic uniting all media owners. Moreover, even if since 2019 there is a register of beneficial owners (RBE) which references this type of information accessible to the public, the recent judgment of the Court of Justice of the European Union of November 22, 2022 ^[20],

resulted in the limitation of access to the register by the public. This register is now only accessible on request and limited to certain professionals (see above).

Plurality of media providers (97%, high risk)

Plurality of media providers presents a high risk (97%). Media concentration remains a big issue in the Luxembourgish media landscape. It is generally seen as an inevitable fact due to the size of the market. Luxembourg remains one of the very few EU member states lacking a national merger control law, or a similar provision aimed at limiting horizontal or cross-media concentration of news media. Furthermore, there is no administrative authority or judicial body effectively addressing issues relating to media concentration. Before 2010, Section 18(2) of the Law on Electronic Media of 1991 stated that “no moral or physical person may own parts in more than one society having been granted the permission to distribute a program via a radio network, nor may he or she hold more than a 25% share of such a society or of its voting rights, including indirect participation”. But this paragraph has been abrogated by the law of December 17th 2010. However, the law on electronic media of July 1991, quotes six times the “pluralism” as an important principle for the media: for example, the first article mentions “the right to free and pluralistic broadcasting”. Nevertheless, “pluralism” is not defined in terms of measurable thresholds or criteria. In absence of effective measures to limit concentration, the media market is dominated by three media companies. The press is dominated by the companies Editpress and Mediahuis. The audiovisual sector is dominated by the RTL Group^[21]. Horizontal concentration is also very strong as the RTL Group fully or partially owns the three biggest radio stations of the country - i.e. RTL Radio Lëtzebuerg, L’Essentiel Radio, and Eldorado. The other players in the radio sector are Editpress (that partly owns l’Essentiel Radio) and Mediahuis (that partly owns radio Latina). The other national radio are the public service media radio - radio 100.7 - that is fully funded by the State and the community radio - radio Ara - that is partly funded by the State.

To ensure the permanence of the RTL group in Luxembourg and the execution of its public service missions, the government introduced a bill in November 2021 aiming to transpose a new agreement with the RTL group. The bill has been voted by all the parties except Déi Lénk (left party) which abstained in May 2022. Based on this agreement the State will pay up to 15 million euros annually to RTL starting from 2024. The agreement will have a duration of 7 years, in contrast to the current three- year duration. Based on this new agreement, the RTL will have to extend its public service mission to the radio and internet, even though this is already partly the case in the ongoing agreement, and to fulfill new obligations, such as the promotion of media, education and of the local cultural scene. Critics^[22] rapidly observed that by increasing the funding considerably and raising it much above the levels received by other media, as well as introducing new obligations on the RTL group, its dominant position will be reinforced. Indeed, to meet these new obligations, the RTL will enter in direct competition with radio ARA (the community media) and radio 100.7 (the PSM). The programs of these two radio stations are aimed at audiences that were not previously directly covered by RTL because they were less profitable in terms of advertising revenue.

Media viability (51%, medium risk)

The risk level for this media viability indicator has strongly increased, from 28% in last year's report to 51% this year. The advertising revenue for television, radio and press is stagnant or declining: For television (that in Luxembourg correspond to a large extent to RTL television) it has increased by approximately 0.7% compared to 2021, reaching approximately 12.6 million euros. For main national press (i.e. Luxembourg Wort, L’Essentiel, Lëtzebuerger Journal, Le Quotidien and Tageblatt) it has increased by 1.3% reaching 45.9 million euros. For the radio it decreased by 2.9% reaching 24.6 million euros (Adada, 2022^[23]). The state funding has been maintained or increased for almost all the media, through the new law on an aid scheme for professional journalism passed in 2021^[24] and the conventions in support of RTL, radio

100.7 and several community and local media (see MPM 2022). The aid scheme for professional journalism is calculated according to the number of professional journalists employed in the editorial staff and no longer according to the number of pages published, it concerns both print and online media, while in the past only benefited to print media.

Even if this aid is now calculated according to the number of journalists hired, it should be noted that the number of journalists employed in Luxembourg has decreased over the past year. Indeed, according to the list of the Press Council, there are 442 journalists including 373 active journalists and 69 trainees. Compared to previous year, the number of professional journalists accredited by the Press Council has decreased (previously the number was 501 in 2021). Only 13 independent journalists are registered according to the list of the press council. It is therefore difficult to judge whether the economic conditions of freelance journalists have improved or deteriorated over the past year.

Editorial independence from commercial and owners influence (low risk, 23%)

Editorial independence from commercial and owners influence presents low risk (as it did in 2021).

The Luxembourgish code of deontology for journalism^[25] requires journalists and editors to be independent of any commercial interest and not to accept any advantage or promise that could limit their independence and the expression of their own opinion. Art. 6 of the journalists' code of ethics mentions that journalists and editors must not accept any advantage or promise that could limit their independence or the expression of their own opinion. Furthermore, art. 10 (d-1) of the press council's rules of procedure insists that a journalist is not allowed to engage in commercial activities or participate in advertising activities. As far as we know, outside influence regarding the appointment and removal of editors poses a low risk. Pressure from advertisers on editorial staff is relatively common often leading to self-censorship on the part of journalists with respect to their advertisers. As to owner influence, legal safeguards exist in order to grant social protection to journalists in case of changes of ownership or editorial line (article 5 of the law on freedom of expression in the media of June 8, 2004^[26], as amended by the law of July 27, 2007 and April 11, 2010). As indicated above, the disclosure of media owners is limited only to the written print press for the first edition of the year, while for other media this information is either not available or just on demand for electronic media to the ALIA or the Department of Media, Connectivity and Digital Policy belonging to the Ministry of State. Moreover, Luxembourg is not part of the Euromedia Ownership Monitor initiative which could shed light on media owners in Luxembourg.

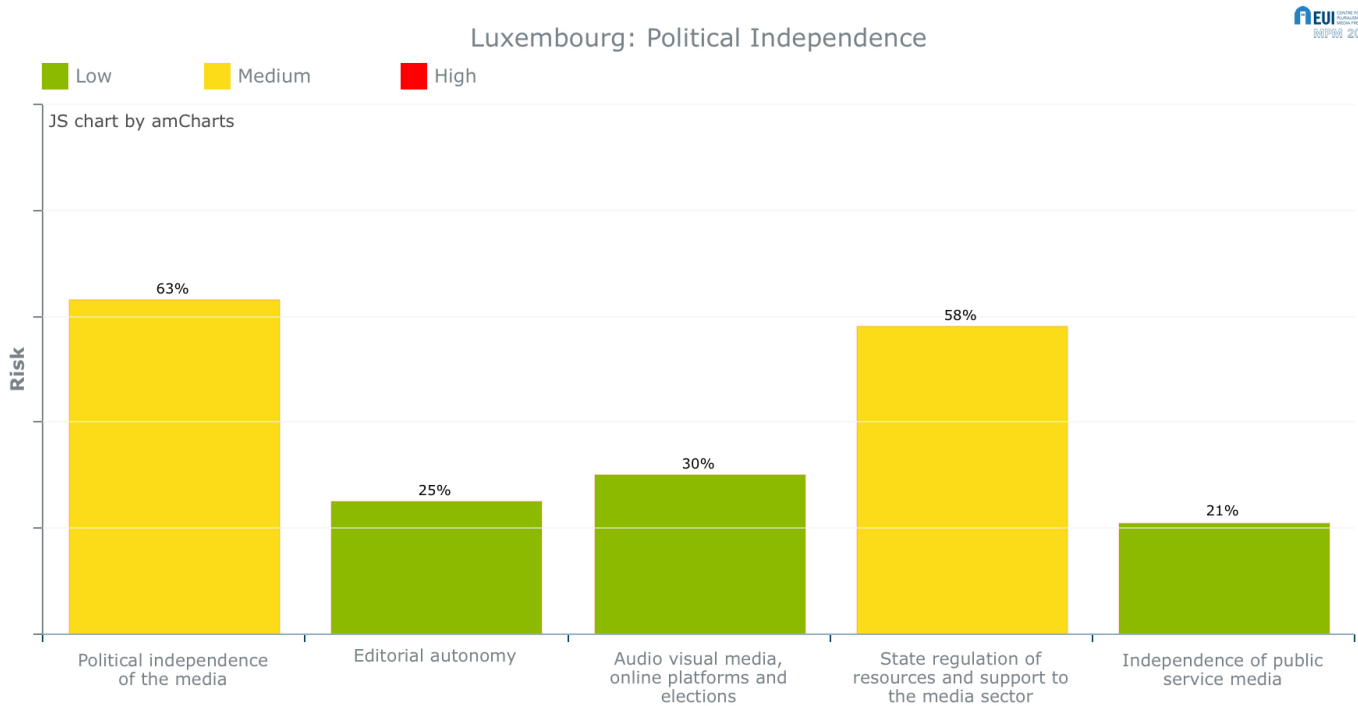
Focus on the digital environment

Plurality in digital markets (88%, high risk)

Plurality in digital markets presents a high risk (88%). Despite the growing importance of the online news environment, there are no publicly available studies that shed light on audience and advertising concentration online (for example, the online news environment isn't quantified by the Plurimedia study). The lack of legal provisions limiting media concentration offline also applies to online platforms. Furthermore, the Directive (EU) 2019/790^[27] of the European Parliament and of the Council of 17 April 2019 on copyright and related rights in the Digital Single Market has been transposed in March 2022^[28]. On March 30, 2022, the Chamber of Deputies adopted the two bills transposing two European directives on copyright and rights: Directive 2019/789 establishing rules on the exercise of copyright and rights applicable to certain online transmissions of broadcasting organizations and retransmissions of television and radio programs and Directive 2019/790 on copyright and related rights in the digital single market. These two directives were adopted on April 17, 2019, and are now transposed into national law. The Luxembourg Government had launched a public consultation until 2 April 2021 allowing the stakeholders to express their views and needs with respect to the draft legislation. The Luxembourg Government mentioned that, for the purposes of harmonizing the laws and future case law of the Member States, they prepared the Luxembourg draft legislation taking into account the Belgium draft legislation and the French Law of 24 July 2019. Regarding a digital services tax, Luxembourg has not introduced a tax and the country maintains a vague position sometimes unfavorable sometimes favorable. According to an expert in the field, Luxembourg is not about to introduce such a tax soon.

3.3. Political Independence (39% - medium risk)

The Political Independence indicators assess the existence and effectiveness of regulatory and self-regulatory safeguards against political bias and political influences over news production, distribution and access. More specifically, the area seeks to evaluate the influence of the State and, more generally, of political power over the functioning of the media market and the independence of the public service media. Furthermore, the area is concerned with the existence and effectiveness of (self)regulation in ensuring editorial independence and the availability of plural political information and viewpoints, in particular during electoral periods.



The indicator **Political independence of the media** presents medium risk (**63%**). The national audiovisual sector, that essentially boils down to RTL Télé Luxembourg, is to be considered as rather independent to conflict of political interest in practice as its programming is defined by its public service missions and a commercial logic. It should however be noted that due to the national strategic importance of RTL, the nomination of the board of CLT-UFA (a subsidiary of the RTL Group, that controls RTL Télé Luxembourg) is partly defined by a political logic. According to the concession agreement^[29], the shareholders of CLT-UFA must designate the 20 members of the board. Among them, the president and three members must be approved by the Government, have the Luxembourgish nationality and be resident in the Grand-Duchy. Even though there was no specification concerning the characteristics that are requested (except the nationality and the residence), the shareholders have traditionally appointed the members of the three main political groups in the Chamber of Deputies (the Socialist party, the Liberal party and the Christian social party). This tacit agreement results from the historic desire for parliament to be informed of the decisions taken by the shareholders. However, this objective does not seem to be met in practice because the MPs nominated in the board withdraw from discussions about RTL in the parliament. Despite this political nomination of the board, there are different factors suggesting that RTL is rather independent in practice. First, the fact that different parties are represented in the Board (one of which is in the opposition), does not imply that they want to impose a political agenda to the board and, if this was the case, it is very unlikely that the political members would be able to impose their political preferences to the entire board. Second, RTL is under the supervision of the ALIA and of a surveillance commission (composed by members nominated by the governments and one member nominated by the parliament) which mission is to control

that they respect the ongoing conventions and the coming one that will start in 2023 and last until 2030. Among other things, these bodies control that RTL Luxembourg respects its public service mission and therefore that it is independent from any political influence. Third, there is an internal rule according to which, journalists who become active in party politics are not allowed continue working for RTL. Lastly a study from ALIA measured the speaking time allotted to the different competing parties during the official campaign period (from 28 April 2019 until 24 Mai 2019) in RTL Télé Lëtzebuerg, revealed that speaking time was equal with some minor discrepancies. The largest radio station, RTL is considered independent as its programming is defined by its public service missions and a commercial logic and follows the same governance as RTL television.

In the absence of legislation that regulates conflict of interests between media, partisan groups and interest groups, the printed press has historically developed close ties with them. However, these ties have weakened considerably over the past decade - partly due to economic constraints. On the one hand, to attract more readers, newspapers - especially large ones which see their readership shrinking - try to dilute their political identity and distance themselves from political parties. On the other hand, the profession of journalist requiring more and more versatility, the journalist specializing in politics has become rare and goes much less in the field, which has the effect of limiting meetings between politicians and journalists. This loss of politico-ideological identity becomes more evident if we consider the numerous transfers of journalists from one newspaper to another and the sale of the largest publishing house, Saint Paul Luxembourg by the archbishopric of Luxembourg to the Flemish publisher Mediahuis in 2020. This event, combined with the commercial success of the daily freesheet L'essentiel (50% owned by Swiss TX Group), implies that the two most read newspapers in Luxembourg, Luxemburger Wort and L'essentiel, are at least partly owned by entities not having conflicting political or societal interests in Luxembourg. In 2022, only the communist journal "Zeitung vum Lëtzebuenger Vollek" can still be called a real party newspaper. Indeed, it belongs to the Communist Party and its editor is the Chairman of the Communist Party himself.

As a reminder, there are no news agencies in Luxembourg.

The indicator **Editorial autonomy** presents low risk (25%). There is no regulation or law guaranteeing autonomy when appointing and dismissing editors-in-chief. The actual practice in Luxembourg is at low risk in this regard, editorial autonomy is further reinforced by the law on electronic media, the law on freedom of expression and the deontological code of journalists^[30]. According to article 1 of the law on electronic media of July 27, 1991 the law pursues the objective to ensure the independence and pluralism of the media. The Code of deontology drawn up by the Press Council covers the print, broadcast and electronic media. All journalists must sign it, and editors must ensure that it is respected by their employees. This code does not cover explicitly political independence although art. 6 mentions that journalists and editors must not accept any advantage or promise that could limit their independence and the expression of their own opinion. Art. 3 also provides that journalists and editors must uphold "the independence and dignity of the profession". Article 6 mainly concerns independence from commercial interests. Working as a journalist implies refusing any form of venality and pursuing for the sole purpose of informing and shaping public opinion. The press must not give in to any direct or indirect pressure or promise in relation to its information.

The growing importance of investigative journalism in the country confirms that in practice there is a political independence of journalism. For example, Prime Minister Xavier Bettel's case of plagiarism revealed by Reporter.lu was not covered up and was largely and freely commented by the media in 2022^[31]. Independence of journalists is also supported by politicians. Indeed, following several attacks to journalists due their coverage of the covid pandemic, Luxembourg deputies unanimously adopted a resolution to

preserve media freedom, independence, and their security^[32]. It is relevant to note that the ministry of Justice, Sam Tanson, declared that she plans to introduce a specific legal framework concerning the prosecution of threats against journalists inspired by the French example^[33]. Lastly, even though there are no investigation on the political independence of the media, we did not come across evidence - such as complaints addressed to ALIA or the Press council - on the undue influence of political parties or politicians.

The indicator **Audio visual media, online platforms and elections** presents low risk (30%), close to the medium risk zone. For recall, it assesses the existence and implementation of a regulatory and self-regulatory framework for the fair representation of different political actors and viewpoints in audiovisual media and on online platforms, especially in PSM and during electoral campaigns.

Regulations for fair representation of different political actors exist only for PSM and PSM missions. There are indeed legal^[34] and conventional agreements^[35] between the State and the PSM – i.e. radio 100.7 and RTL (that have public service missions) – that stipulate that the PSM must adhere to impartiality, pluralism, objectivity and must broadcast in electoral period the official political campaigns. Up until the European election of 2019, an agreement was reached before each election between the media entrusted with a mission of public service and the political parties on the organization of the political campaign. This included the airtime allotted to the party lists, the conditions for the production, programming and broadcasting of electoral spots, the conditions for the organization and broadcasting of political debates (e.g. round tables), as well as the duration of the media electoral campaign. This was done under the supervision of the Government Information and Press Service (SIP). Starting from 2019 the independent national supervision authority ALIA took over to assure an impartial realization of the task. ALIA's first assessment of the speaking time allotted to politicians on RTL television during the European election campaign showed that it was generally fair^[36]. To formalize these new missions already carried by ALIA, the government has introduced an amendment to the draft law modifying the electoral law in December 2021. The amendment aims at regulating the political campaigns in the electoral period occurring in media with PSM missions, and at supervising the political information programs outside the electoral period, which are broadcast at the request of the government (in French: Tribunes Libres). The bill was passed on July 2022^[37].

Regarding paid political advertising, that is advertising outside the official political campaign, there is no regulation aiming at controlling or limiting them. While in previous elections parties reached a gentlemen's agreement (e.a. on spending margins), the elections of 2019 were the first ones without any such agreement as parties could not agree on a common basis. It should be moreover underlined that there is no control mechanism in place to supervise the spending of political parties for electoral advertisement. As a result, spending is only transparent to a limited extent. Especially the spending for online ads tends to be rather nebulous. The coming local election (11 June 2023) and national elections^[38] (8 October) will be organized on the same basis. The competing parties came to an agreement stating that the total budget for advertising in the written press, on the Internet, on the radio, on television or for cinema spots is limited to 100,000 euros including tax (production costs not included). The same budget applies to national elections.

Finally, there are no specific rules concerning the transparency of paid political advertising. These are considered commercial ads and therefore need to follow the rules defined by the article 27bis of the media law of 1991 that states that Audiovisual commercial communications "should be easily recognizable as such". Transparency of paid political advertising appear to be particularly problematic online. During the last European elections in 2019, ALIA took part in a European analysis of online political advertising organized by European Regulators Group for Audiovisual Media Services (ERGA) which monitored the political advertising published by the ten political parties on social networks. ALIA reached two main conclusions: 1.

The control mechanisms of the three platforms Google, Facebook and Twitter were not effective enough to accurately identify political advertisements; and 2. advertisers (i.e. parties) did not follow the Big three social media guideline of disclaimers that emphasized the political nature of their ads, even though parties were urged to do so against payment. Many advertisements that have circulated on social networks have therefore not been qualified as political. It will be important to monitor if we encounter this problem during the coming elections which are set for June 11 for the municipal elections and October 8 for the legislative elections in 2023.

The indicator **State regulation of resources and support to media sector** presents medium risk (58%). The broadcasting authorization rules for radio or television channels are transparent but can lead to contradictory decisions. Depending on the nature of the spectrum, the allocation is granted either by the State or by the ALIA. ALIA controls the authorizations of regional radio stations (with transmission network) and local radio stations. The other spectrum allocations – for national and international broadcasting, for radio and television – are granted by the government by Grand-Ducal regulation after consulting the Authority (ALIA). In the past this two-headed regulation – one political and the other administrative – of the spectrum allocation has led to contradictory decisions such as in 2016 the allocation of the frequency 107.7 to the French speaking radio l'Essentiel that partly belongs to RTL group (see MPM 2022).

Direct subsidies are provided by the recent 2021 Law on an aid scheme for professional journalism and by conventions between the government and a selection of media. According to the new law, the amount due to each media is not based anymore on the quantity of paper printed but by the number of professional journalists (for a detailed presentation of the law see MPM 2022). It is based on three funding schemes. The first and central one is called “pluralism maintenance”. The new plan provides for an annual grant of 30,000 euros per professional journalist working in the newsroom and an annual budget of 200,000 euros is made available to support innovation. Two important novelties compared to the past regime is that online media are eligible as well as media publishing in a language that concerns at least 15% of the country's population, such as English and Portuguese. This aid scheme largely benefits to one online investigative media (reporter.lu), one free media (l'Essentiel) and to media belonging to the group Maison Moderne (Paperjam.lu and Delano.lu). The second mechanism is aimed at media startups. A team of two professional journalists is enough to receive a fixed amount of EUR 100,000 annually, which is limited to two years, and which must be preceded by expenses of at least EUR 200,000. In 2022 the two beneficiaries of this aid scheme are chronicle.lu and Lesfrontalities.lu. The third aid mechanism is aimed at community media. This means non-commercial media, with at least two professional journalists, who also involve citizens in the editorial work and pursue the goals of media education, integration, and social cohesion. The Minister for Communication and Media can grant support of up to EUR 100,000 per year. The only beneficiary of this aid scheme in 2022 is the monthly publication ^[39], Forum. The law has also introduced a threshold of the amount of funding that each media group may be allocated. As indicated in art. 13: The maximum annual amount paid to a publisher by type of press publication is limited to: 1° 1,600,000 euros for a daily publication; 2° 800,000 euros for a weekly publication; 3° 650,000 euros for a monthly publication; 4° 550,000 euros for an online publication. The maximum annual amount paid to a press group is limited to 2,500,000 euros. For 2023, there was a substantial increase (about 20%) of the direct aid regime. Indeed, the total amount increased from 8 022 669 euro in 2021 to 10 406 261 euro in 2023. The main reason for this increase is that the precedent aid regime was still partly in effect in 2021 implying that pure player were less funded. It should also be noted that in 2022 the group mediahuis reached the maximum subsidies, implying that for the fourth semester it did not receive any funding for its publications (i.e. Contacto, Luxembourg Times, Luxembourger Wort, Télécran). Similarly, the monthly publication Paperjam (belonging Maison Moderne) also reached the limits for a monthly publication. The direct subsidies of the audiovisual

and radio sector concern essentially RTL television and radio and amount to 10 million per year until 2023 included^[40]. In May 2022, the CLT-UFA and RTL Group financing law was approved for an amount of 97.6 million euros from 2024 to 2030^[41], corresponding to an annual amount of about 15 million euros^[42]. In addition, RTL will retain the right to use national frequencies until 2030. Frequencies estimated at around 5 million euros, against 10-15 million euros previously. Officially, the increase in the state subsidy should compensate for the loss of national frequency values and to extension the public service missions to the radio and the online offer. Some competing media have argued that the state subsidies put them at a disadvantage against RTL in the online market. Another relevant direct subsidy concerns the community media, radio ARA. It benefits from a multi-annual convention (from 2021 to 2025) that grants 250 000 euros per year.

With regards to indirect aid, there are no clear rules and public data on the amount allocated to each company. The most recent data were provided as a response to the parliamentary question of the pirate party MP, Marc Goergen and indicated the official expenditures of the different ministries of the state from 2014 to 2021 for the largest print media. It confirmed that there is a huge gap between the different papers and that the total amount varies from one year to the other. Moreover, there is a lack of data for several relevant media such as l'Essentiel, RTL and weekly newspapers (e.g. telecran, revue). The Ministry of State argues that they do not have access to these data because they are not communicated to them (Land, 2021^[43]).

Although this set of criteria is precise, it is not clear whether they are always fair or transparently respected in the allocation of aid. The new funding schemes for the written press is fairer than the past one, since it benefits to a larger number of media than the past one which essentially benefited two editorial groups: Editpress and Mediahuis. It is an open question whether it has globally contributed to improve the "quality" of journalism.

Besides, the legislation provides fair and transparent rules for the distribution of direct subsidies to media outlets with Law of 30 July 2021 on an aid scheme for professional journalism. It does not include PSM as well as audio-visual media which are regulated by the 1991 law on electronic media^[44]. PSM is also regulated by the law of July 13, 2022^[45] on the organization of the public establishment "Public service media 100.7"^[46].

State advertising is not distributed to media outlets in a fair and transparent manner. There are indeed no rules at all.

The indicator **Independence of public service media** improved to **21%**, in the low risk band. The only public service media in Luxembourg is Radio 100.7. Its independence vis-à-vis the government and any other political influence was reinforced and legally sanctioned by the adoption of the law organizing the public establishment "Public service media 100.7" on July 13, 2022^[47]. It should be noted that during public parliamentary debates around the adoption of this new law, all parties recognized that the radio works independently and provides fair political coverage. The only party that complained that its ideas and members are not fairly represented is the conservative nationalist ADR party. The independence of the editorial line is guaranteed in article 6 of the new law. A major improvement which further strengthens the editorial autonomy of the radio concerns the new procedure for appointing the board of directors. Indeed, among the nine members of the council, the six representing civil society are no longer chosen by the government, but by the members of the council itself. The new law specifies that the new members of the council are chosen from among personalities representative of social and cultural life and justifying the skills

necessary for the effective exercise of their mandate (art.10(1)). And that the board may resort to a public call to fill an open position in the board (s.10(4)). The other three members – and the government commissioner who does not have the right to vote – represent the government and are chosen by it. The board hires and dismisses the general manager (art.8(3)^{1°}) and hires and dismisses, on the proposal of the general manager, the employees occupying strategic positions of responsibility (such as the editor-in-chief) who are fixed by decision internal. The law provides for multi-year funding, the amount of which is fixed in an agreement concluded for a period of at least five years (max 10 years) between the managers of the radio station, the chairman of the board of directors and the minister responsible for the media, which in the case of Luxembourg are the PM. Twelve months at least before the expiry of the current Agreement, the establishment declares its needs to the Government for the next Agreement (see Article 14). Negotiation is not transparent. This is happening behind closed doors. While the amount paid to the PSM is fair in the national context, it is not enough to offer a complete public service, which would include an audiovisual and multilingual public service.

Focus on the digital environment

Political Independence in the digital environment scores 54% - medium risk band.

There are four pure digital media that receive (or demand for) state aid in 2022. The risk of political influence or control is low. One of the beneficiaries of this aid is the young investigative newspaper Reporter.lu which has provided critical and independent coverage of social and political life in Luxembourg targeting both government and opposition parties. In March 2021, it reached more than 3,000 subscribers (paperjam, "delivering real added value to readers"; 02.26.21) and in December 2022, it reached nearly 7,800 subscribers on Facebook. The other native digital media is a small media called moien.lu (with about 10,000 subscribers on Facebook). Moien.lu, is a free online news media (a pure player), which appears to have links with the pirate party. The third is the media les frontaliers.lu. the latter provide practical and general information targeting commuters and foreign residents. The last one is the Letzebuenger journal, that became a pure online player on 1 January 2021. It is still owned by Liberal foundation "Center Eugène Schaus" (63.22% shareholder) which board is composed of members of the liberal party, DP^[48]. Similarly the board of the journal is composed of members of the DP^[49]. The Journal claims to be independent since 2012 from the Democratic Party (DP) when it started a cooperation with Éditpress. It is however only at the extraordinary national congress of 2021 that the Lëtzebuenger Journal does not appear anymore as the official party newspaper in the statute^[50].

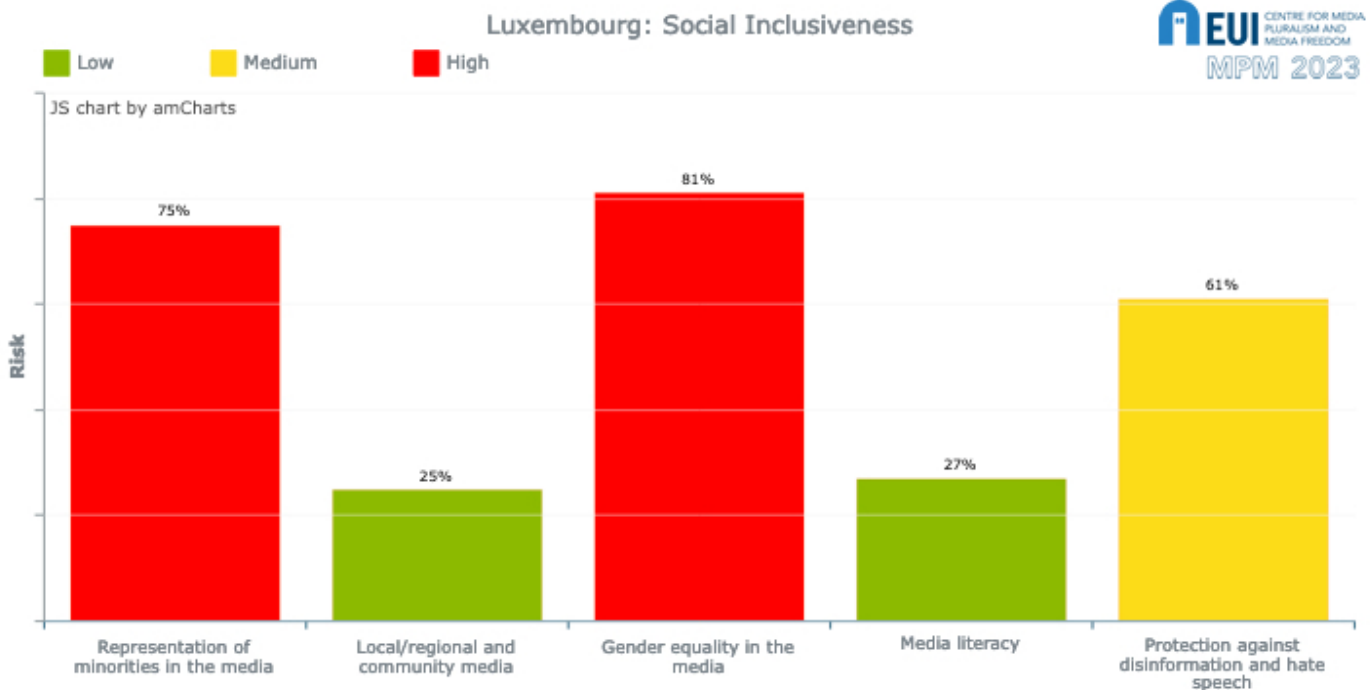
While a regulation and supervision aiming at securing fair elections have been reinforced for PSM media (radio 100.7) and RTL (radio and TV) with PSM missions, neither regulation nor supervision is foreseen for private radio or for the internet. Knowing that political campaigns are increasingly moving online and that paid political advertisements are not regulated by national law, these limited measures appear to be insufficient to guarantee fair elections in the future. In an opinion expressed to the draft law, ALIA suggests that its monitoring should be extended to all audio-visual and radio services intended for the resident public (so not only the PSM media and media with PSM missions) during the electoral period for the entire broadcast time. And that a national strategy should be envisioned soon to extend the monitoring of the fair presence of political parties in the electronic media (television, radio and internet) in non-electoral period. In addition, ALIA considers that the amendment does not give it sufficient powers to exercise this role^[51].

As already introduced, transparency of paid political advertising appear to be particularly problematic

online. During the last European elections in 2019, ALIA took part in a European analysis of online political advertising organized by European Regulators Group for Audiovisual Media Services (ERGA) which monitored the political advertising published by the ten political parties on social networks. ALIA reached two main conclusions: 1. The control mechanisms of the three platforms Google, Facebook and Twitter were not effective enough to accurately identify political advertisements; and 2. advertisers (i.e. parties) did not follow the Big three social media guideline of disclaimers that emphasized the political nature of their ads, even though parties were urged to do so against payment. Many advertisements that have circulated on social networks have therefore not been qualified as political. It will be important to monitor if we encounter this problem during the coming elections which are set for June 11 for the municipal elections and October 8 for the legislative elections in 2023^[52].

3.4. Social Inclusiveness (54% - medium risk)

The Social Inclusiveness area focuses on the access to media by specific groups in society: minorities, local and regional communities, women and people with disabilities. It also examines the country's media literacy environment, including the digital skills of the overall population. Finally, it also includes new challenges arising from the uses of digital technologies, which are linked to the Protection against disinformation and hate speech.



Representation of minorities in the media (75%, high risk)

Representation of minorities in the media presents high risk (75% same as in 2021). While Luxembourg does not have any minorities within the meaning of the Council of Europe's definition (which implies that these minorities must have Luxembourg nationality), it does have significant linguistic minorities. Almost half of the resident population is foreign – many of them do not speak Luxembourgish. In January 2022^[53], 47,1% foreigners were living in Luxembourg and the ratio of foreigners is still increasing. The main foreigner minorities are: The Portuguese 30.8% - The French: 16.2% - The Italian: 7.9% - The Belgian: 6.4% - The German: 4.2 %.

Despite this obvious diversity, the law does not guarantee access to broadcasting time on PSM to minorities. It should be noted that this lack of broadcasting time for linguistic minorities in the PSM is partly compensated by the services offered by RTL television and RTL website, as part of their public service missions. Indeed, RTL television offers a daily news program in Luxembourgish with French subtitles and a short news program (about 2-3 minutes) in French. In addition, many efforts have been made in recent years to develop a range of digital products in French and English (RTL 5 Minutes & RTL Today). According to the director of RTL Luxembourg, these platforms now fall within the scope of the "public service agreement" which entered into force on 1 January 2021^[54]. In this dynamic, RTL Today Radio, was broadcast in March 2022 to address the general audience in English via the web. The only PSM in Luxembourg, Radio 100.7, offers a national news program mainly in Luxembourgish, thus excluding half of the country's population. Only sporadically does the radio broadcast a contribution that is not in Luxembourgish. Accordingly, the radio should evaluate the possibility of introducing a second language, by

carrying out, before December 2025, a study relating to the development of new audio services in a second language (Ministère d'Etat, 2023). It is an essential measure, since, as indicated above, Luxembourg is a multilingual country with almost half of the population that is foreigner. Moreover, the law specifies that the radio has "to provide the entire population of the Grand Duchy of Luxembourg with general information on national, European and international political news, and disseminate information and varied content on social, economic, cultural and sporting topics as well as regional and local news" (see article 3). The question therefore is to what extent can we talk about an efficient public service media if the media does not reach a substantial part of the population due to language limitation.

As for the private radio sector, the offer is more proportional as several radios target the linguistic minorities, such as for example radio Latina that targets the Lusophone minority or radio l'Essentiel that targets French speaking residents and workers. There are several programs on other local and community radios in different languages (for example in Italian on Radio Gutt Laun or in Italian, Arabic, English and 5 other languages on Radio ARA). Similarly for the print sector, the minority press, i.e. the press targeting foreign residents in Luxembourg, is considered to be rather proportionate.

Media accessibility policies exist but are insufficient. The government has set up action plans implementing the Convention on the Rights of Persons with Disabilities and its Optional Protocol (adopted on 13 December 2006 by the General Assembly of the United Nations and entered into force on 3 May 2008). The ongoing action plan that covers 2019-2024 presents limited and non-binding measures regarding media accessibility for people with disabilities. In chapter 4, article 21, entitled "freedom of expression", the State encourages the media to make their information services accessible to persons with disabilities by introducing audio transcription, sign language, Braille. Finally, the action plan indicates that emergency information must be accessible to persons with disabilities in the audiovisual media and that electoral information must be adapted to persons with disabilities. However, while it recognizes the necessity to make many adaptations to print and audiovisual media, it surprisingly ignores the necessity to extend this access to digital media. These very limited objectives should be promoted by the media authority, which as we have mentioned above has limited resources (Ministère de la famille, 2020^[55]). It is relevant to underline that the law concerning the financial support for professional journalists also requires media that receive subsidies to elaborate an annual report that covers measures taken to improve access to content for people with disabilities^[56].

Local/regional and community media (25%, low risk)

The indicator on Access to media for local/regional communities and for community media scores as last year low risk (25%). The law^[57] grants regional or local media access to media platforms and is implemented effectively. The modified law of 1991 on electronic media^[58] recognizes the existence of "local radio service" without however specifying that it has special missions and obligations. The missions are stated in the specifications contained in the concession contract with the state. Article 17 (1) specifies that a local radio service may only be granted to a nonprofit association and article 17(6 a) adds that its book of specifications (cahier des charges) may contain provisions on "the promotion of local life, local culture and artistic creativity in the design and implementation of radio service" and "the respect for pluralism in the presentation of local news and ideas" (Article 17 (6.g)). There are currently 11 local radios in Luxembourg and more than 20 local televisions. The number of local televisions correspond to the number of all the audiovisual production (whether TV or Vod) excluding RTL television^[59]. There are no criteria regarding the distribution of state subsidies to local or regional media. In practice, it appears that most local radio stations

do not benefit from state subsidies, while some local TV channels do. In addition, the state signed a pluriannual convention with the community media, radio ARA, in May 2021, allocating 250.000 per year until 2025 to ARA^[60]. The radio has some 150 volunteer employees and broadcasts content not only in the main languages of the country, but also in the languages spoken by immigrants and refugees. Its financial situation was unstable and worrying until it signed this multi-year agreement with the State.

The law concerning the financial support for professional journalists recognizes community media under the terminology of "Editeurs citoyens" (art.9) It grants an amount of 100.000 euro per year to the community media that fulfills the legal conditions. 1) have a nonprofit vocation; 2) have recourse to voluntary participation of citizens in editorial activity; 3) contribute to media education, integration and social cohesion; 4) have various financial resources; 5) not being part of a press group; 6) distribute content primarily intended for all or a significant part of the public residing in the Grand Duchy of Luxembourg; 7) have an editor-in-chief and an editorial team composed of a number of professional journalists equivalent to at least two full-time positions, editor-in-chief included, engaged by employment contract; 8) not constitute a promotional tool or an accessory to an industrial or commercial activity. To date, only one journal fulfills these different conditions: the monthly publication Forum.

Gender equality in the media (81%, high risk)

The indicator on Gender equality in the media remains at high risk (81% compared to 78% last year). Luxembourg is particularly weak when it comes to the presence of women in key positions. The PSM does not have a gender equality policy and there are no women represented on its executive board that is composed by one male director. There is however an equal representation of women in the PSM management board. Moreover, the absence of gender policy does not imply that in practice we observe problem of gender discrimination both in terms of collaborator and programming in the PSM. In the audiovisual sector (i.e. RTL television) the result is even worse as its management board (Clit- Ufa) is composed of only 17% of women (i.e. 3 women out of 18 members) and there is just one women out of 10 men in the executive board that combine RTL television and RTL radio.

The share of women among the chief editors of the main news media in Luxembourg is insufficient in terms of equity. Indeed, for the main television and radio, the editors in chief are all men (RTL Luxembourg: Guy Weber; radio RTL radio: Roy Grotz; radio 100.7: Jean-Claude Franck). For newspapers, there is only one woman out of six (Luxemburger Wort: Arens Roland, Tageblaatt: Back Armand, Luxembourg Times: Douwe Miedema, L'essentiel : KERROU Saïd, Lëtzebuerger Journal: Hansen Melody, Le Quotidien : Laurent Duraisin). And for the other types of new media (magazine, weekly and pure one players), there are three women out of height: Magazine: Delano: Gerhardstein Natalie; Weekly: Revue: Stefan Kunzmann ; Télécran: Martina Folscheid ; d'Lëtzebuerger Land : Peter Feist; Reporter.lu: Christoph Bumb; Moien.lu: Alain Kleeblatt ; paperjam.lu: Nicolas Leonard ; virgule.lu : Melodie Mouzon). In total, only four women occupy editor-in-chief positions for 16 media.

Finally, women appear to be less often invited by the media to comment on political and other relevant matters and events than male experts^[61]. The situation may be improved in the future thanks to the law^[62] concerning the financial support for professional journalists that also requires media that receive subsidies to elaborate an annual report that covers the ratio of women to men in newsrooms.

Media literacy (27%, low risk)

The indicator on Media literacy has increased even it's still low risk (27% compared to 17% in 2021). The existing policy on media literacy offers some room for improvement, particularly in higher education and

research even if the media literacy policy is already well established thanks to several parallel initiatives involving different categories of the population and to the new law on media funding which obliges new categories of "citizen editors" to contribute to the promotion of media literacy (art.9.3) and for the other publishers to report annually on the actions undertaken in favor of media literacy (art.3.(1).3).

Media literacy is present in the education curriculum. Article 7 of the law of 2009 on the organization of primary school states that Media education should be integrated at different levels of the teaching. In the Grand-Ducal regulation of August 26, 2009, defining the study plans for fundamental education, media education is mentioned several times. It states among other things that students should learn how to use various media to obtain information; to comment on the role, impact, and dangers of the media in everyday life; to consult the media (works reference, literature, press, Internet, CD-ROM, ...); to adapt to new technologies and to find a balance between consumption and information. However, the teaching concerning media literacy are not, unlike in other countries, embedded in the educational national curricula but are embraced throughout different kinds of activities inside and outside classrooms. Most of them are individual efforts of dedicated teachers.

In addition, Luxembourg is the only country in Europe that has established mandatory training on safer Internet use within the education system. The training programs are financed by the ministry of Education, Children and Youth. The National Youth Service oversees all organizational aspects, trainer coordination and school appointments, as well as evaluation of the training courses. All BEE SECURE trainers work under the label 'BEE SECURE Trainer', devised in 2012, which helps to monitor the quality of the offered training and ensures a high level of excellence. The 'BEE SECURE for schools' training programs (such as all other programs) aim to encourage positive, responsible, and safe Internet usage among students. The web page bee-secure.lu provides comprehensive information, pedagogical tools and support for teachers, parents, young people, and any other interested persons. Offers include e.g. online tests (password security test, cyberbullying test), videos, guidelines on Internet security and a glossary. The Centre for Political Education (ZpB; Zentrum für politisch Bildung) also promotes media literacy by different projects (e.g. Concours Jeune Journaliste).

At the level of high school, several professional sections contain in their curriculum mandatory media education teachings (i.e. for becoming teacher at the fundamental level) and several high schools have developed a strong media education profile, such as the classic high school of Diekirch that provides several optional courses that are related to media education, the high school in Limpertsberg (Lycée technique des Garçons) that develops its own radio station, the high school Aline Mayrich that gives a large importance to media education and production in its educational curriculum. Finally, adults have the possibility to follow many education programs aiming at reinforcing media literacy skills through an extensive number of trainings that are offered by the Ministry of education through IFEN (Institut de formation de l'éducation nationale).

But it is regrettable that the media education policy stops at primary and secondary education. Contrary to other European countries and what is advocated in the EU Directive 2018/1808 on audiovisual media services, there are no media literacy courses at university level, especially there is no formation in journalism and informational ecosystem. Policy on media literacy at the university is mostly understood in the sense of tools and technology as it is the case with the implementation of the "digital sciences" course in Luxembourg high schools. The research department of the University of Luxembourg only surveys the satisfaction of trainers and their audience, but it is not an integral part of the dissemination of knowledge in media education.

Unfortunately, it is not enough in the sense of professional news media (to combat misinformation and exercise citizenship in democracy by providing citizens with the critical thinking skills necessary to exercise judgment, analyze complex realities and recognize the difference between opinion and facts). Besides, we consider the training of teachers in media education too occasional. There are only a few one-off trainings online to keep media literacy teachers up to date, such as the European "Media Literacy in a time of fake news - etwinning contact seminar ^[63]." From our point of view, there is a lack of a real dynamic concerning knowledge of media education between school and university in Luxembourg which would make it possible to keep teaching up to date as it may exist in other European countries. By offering media education at university level, Luxembourg could provide more support to primary and secondary education, train teachers more and ensure the continuity and sustainability of learning in media education.

Focus on the digital environment

Protection against disinformation and hate speech (61%, medium risk)

Protection against disinformation and hate speech presents medium risk (61%, compared to 69% in 2021). The initiative to fight disinformation is limited to Bee secure and to hub Edmo Belux. These initiatives are not sufficient as they cover a limited number of media (indeed only RTL is part of the Edmo Belux consortium) and are still not well known among the population.

Edmo Belux, is a recent fact-checking initiative and a research and monitoring hub funded by the European Union aiming at tackling disinformation in Luxembourg, Belgium and the Netherlands. But its impact is limited because it is still largely unknown by the public at large but also members of the "elites" (such as professors, university students, etc.) and does only concern RTL.

In addition, Luxembourgish media that benefit from state subsidies based on the "Law of July 30, 2021 on an aid scheme for professional journalism" are requested to introduce a "implement appropriate measures to fight against illegal content on the personal contribution spaces of Internet users." (art.3). This device is a guide of conduct established by Press Council in collaboration with BEE SECURE in July 2017 (www.netiquette.lu). The efficiency of this content moderation could however not be assessed by the national team. Several public and civil society organizations are also active in monitoring the presence of hate speech in Luxembourg : ASTI, Zentrum fir Politesch Bildung, Centre pour l'égalité de traitement, Musée de la résistance, Conférence Générale de la Jeunesse du Luxembourg, Agence nationale pour l'information des jeunes.

Despite these initiatives, we observe that a particular form of disinformation, namely the manipulation of true information for ideological purposes, is not considered at all. This type of manipulation can be highly problematic because it fuels distrust and personal attack on journalists. Indeed, this has been confirmed by a Luxembourg journalists who observed cases of reuse of journalistic content for the purposes of disinformation, particularly on social networks ^[64].

The national strategy has also omitted to set up initiatives among young adults, who constitute a population also vulnerable, permeable to disinformation on social networks and to help journalists in

the fight against distrust of their content and its misuse without consent. Disinformation has increased. It spreads through social media and has become particularly visible since the covid-crisis.

As far as Protection against hate speech is concerned, the BEE SECURE Stopline website allows the public to anonymously report hateful and illegal content and provides files to inform about misinformation in partnership with the press council. BEE SECURE deals with the subject in the frame of various awareness raising actions. A recent initiative, (October 2022), was the setup of an awareness campaign against online hate untitled #NOHATEONLINE. However, BEE SECURE admits that the quantity of Hate Speech content is still high, and that its fight still Insufficient to contrast the widespread presence of hate speech in general but also against politicians and journalists. In December 2021, The European Commission has officially given Luxembourg formal notice for failing to transpose European legislation criminalizing hate speech and hate crimes.

4. Conclusions

Compared to last year's report, the situation remains globally stable.

Fundamental Protection is unchanged at 25%. The main issues identified concern the limitation to access to information despite the introduction of the Bettel 2 circulaire, the banning of RT and Sputnik in the context of the conflict in Ukraine, the insufficient means of the media authority, ALIA, to deal with an increasing number of competences stemming from the EU and from the government.

Market Plurality presents medium risk (63% compared to 62% in 2021). Media concentration is still strong and media ownership remains untransparent. The new aid schemes on professional journalism have marginally contributed to limit this phenomenon, by increasing the number and diversity of viable media, in particular free media, investigative media, and multilingual media. That said the domination of the main media group remains strong, and it still not clear to if the new aid schemes will contribute to promote a “qualitative” form of journalism.

Political Independence remains at medium risk (39%). A major improvement this year has been the legal recognition of the radio 100.7 as the national PSM. It however does solve the ambiguous status of RTL – simultaneously a commercial and PSM media – that dominates the national radio, television, and internet. The new convention between the state and RTL group will extend this status until the end of this decade (2030). Another improvement is the law aiming at regulating the electoral media coverage. This however is limited to the official campaign in the radio 100.7 and RTL television and Radio. It does not concern private media and the Internet, in particular social media that has become the main source of information for increasing number of voters. There are also no specific rules concerning the control and transparency of paid political advertisements, which continue to be based on a gentleman non-binding agreement between the political parties. Indirect state aids to media are also not transparent.

Social Inclusiveness is at medium risk (54% compared to 53% in 2021). One main reason for that is that broadcasting time to linguistic minorities is not legally guaranteed in PSM. It should however be noted that this lack of broadcasting time for linguistic minorities is partly compensated by the services offered by RTL television, radio, and website, as part of their public service missions. Moreover, in the new pluriannual convention with the state (that runs from 2023 to 2030), Radio 100.7 should evaluate the possibility of introducing a second language before December 2025. Media accessibility for people with handicap is still insufficient in absence of binding measures. And gender equality in the media remains highly problematic due to the absence of gender equality policy and the underrepresentation of women in key positions (board of directors, executive board, and chief editors). Lastly, the existing policy and initiatives on media literacy and fight against disinformation and hate speech should be improved particularly in higher education and research.

Our recommendations are the following:

With regards to **Fundamental Protection**, we invite the authorities:

- To improve the access to administrative information for journalists and for citizens to foster trust between the state and citizens.
- To further extend the competences and means of the national authority (ALIA). Among others ALIA should award national and international frequencies and should have stronger sanction power.

- We suggest that visibility of ALMI could be improved among the public at large by improving their visibility online. In addition, we invite the associations representing the interest of the journalists and the editors, to publish an annual report activity, that also inform the journalists and the public about their yearly receipts and spendings. This would improve their public visibility and reinforce their presence among the public and the journalist themselves.

With regards to **Market Plurality**, we invite the authorities:

- To improve transparency of media ownership by centralizing them in an easily accessible format. It could be improved by taking part to initiatives such as the Euromedia Ownership Monitor initiative.
- To provide publicly available data on audience and advertising for offline and online media (including online platforms).

With regards to **Political Independence**, we invite the authorities:

- To pursue the monitoring of representation of political parties during the official campaign in the PSM and RTL and to extend it to other media as well as to the online counterparts and the online platforms.
- To guarantee transparency and accessibility of the spending for political advertising both offline and online.
- To define rules that ensure a fair distribution of indirect state subsidies and their full transparency.

With regards to **Social Inclusiveness**, we invite the authorities:

- To improve the offer and accessibility to linguistic minorities in RTL (television and radio) and in public service media (radio 100.7) and for political debates.
- To improve access to media (both offline and online) to people with disabilities.
- To encourage women's access to key positions (both in governance council et executive boards).
- To improve media literacy in journalism and in understanding the new informational ecosystem with the new challenges of disinformation, social media, and whistleblowers with the collaboration of university.

More generally, we underline the necessity to have a multi-stakeholder center that would promote the collaboration and the research to timely respond to the multiple challenges raised by the digital transformation of the media landscape.

5. Notes

- [1] Luxemburger Wort ; Le Quotidien ; Tageblatt ; Zeitun vun Lëtzebuerger Vollek.
- [2] As a reminder, this case, which dates from September 2016, pits Enrico Lunghi, the former director of MUDAM, against RTL journalists, the former general manager, and the head of programs of RTL. It concerns an interview with Enrico Lunghi conducted by Sophie Schram, then a freelance journalist for RTL. According to the journalist, Enrico Lunghi manhandled her by injuring her arm because of questions deemed too insistent on his choice of the exhibition of artists. Since then, the journalist's version has been seriously called into question, in particular, because of the revelation of a truncated video editing by RTL in the broadcast of this affair.
- [3] <https://www.reporter.lu/fr/luxembourg-justice-laffaire-lunghi-se-retourne-contre-rtl/>
- [4] <https://gouvernement.lu/dam-assets/documents/actualites/2022/06-juin/27-bettel-circulaire/20220727-lettre-circulaire-aux-departements-ministeriels-public.pdf>
- [5] <https://cadmus.eui.eu/bitstream/handle/1814/74697/MPM2022-Luxembourg-EN.pdf?sequence=1&isAllowed=y>
- [6] The new circular requests that 1) each ministry, administration and State service sets up a generic e-mail address which will be intended for the press and to which at least two State agents (preferably press officers) should have access; 2) the websites of ministries, administrations and State services contain a clearly visible insert intended for the press which provides information on the names and telephone numbers of press agents as well as on the generic e-mail address.; 3) To any request that will be sent via this e-mail address or communicated by telephone, the press attachés must provide within the 24 hours following the request, a response containing: - the information requested by the journalist. - or the estimated time required for the communication of the information in the event that the information requested by the journalist is not immediately available, as well as the reasons why the information is not immediately available. - or the legal reasons why the information cannot be provided.
- [7] <https://cadmus.eui.eu/bitstream/handle/1814/74697/MPM2022-Luxembourg-EN.pdf?sequence=1&isAllowed=y>
- [8] https://mj.gouvernement.lu/fr/actualites.gouvernement.fr/actualites/toutes_actualites/communiqués/2022-12-decembre-06-justice-rbe.html
- [9] <https://wdocs-pub.chd.lu/docs/exped/0127/122/255227.pdf>
- [10] <https://www.press.lu/wp-content/uploads/2021/08/codedeontologie1.pdf>
- [11] <https://legilux.public.lu/eli/etat/leg/loi/2021/07/30/a601/jo>
- [12] <https://legilux.public.lu/eli/etat/leg/loi/2022/08/12/a460/jo>
- [13] https://smc.gouvernement.lu/fr/actualites.gouvernement.fr/actualites/toutes_actualites/communiqués/2022-07-juillet-14-loi-organisation-etablissement-public.html
- [14] Broadband coverage in Europe, studies for the EC by Point Topic (2011-2012 figures, SMART 2011/0027 and 2012/0035)
- [15] <https://www.chd.lu/en/question/25109>
- [16] <https://www.chd.lu/en/question/25389>
- [17] <https://curia.europa.eu/jcms/upload/docs/application/pdf/2022-07/cp220132fr.pdf>
- [18] https://www.reporter.lu/luxembourg-propagande-russe-ses-reticente-a-appliquer-les-sanctions/?mc_cid=91a2dfeee5&mc_eid=cd2396f94a
- [19] <https://legilux.public.lu/eli/etat/leg/loi/2004/06/08/n4/jo>
- [20] https://gouvernement.lu/fr/actualites/toutes_actualites/communiqués/2022/11-novembre/23-justice-

union-europeenne.html

- [21] https://gouvernement.lu/fr/actualites/toutes_actualites/communiqués/2022/06-juin/14-bettel-convention.html https://conseil-etat.public.lu/content/dam/conseil_etat/fr/avis/2022/01042021/60812-CERM-PL,-CLT- UFA-.pdf
- [22] <https://paperjam.lu/article/nouvelle-convention-entre-etat> <https://www.woxx.lu/15-millions-par-an-pour-rtl-le-pluralisme-dejoue/>
- [23] <https://www.adada.lu/2023/03/luxembourg-adreport-2022-les-investissements-publicitaires-progressent-de-43-millions-par-rapport-a-2021/> It should be noted that these data were not taken into consideration in the results.
- [24] <https://legilux.public.lu/eli/etat/leg/loi/2021/07/30/a601/jo>
- [25] <https://www.press.lu/wp-content/uploads/2021/08/codedeontologie1.pdf>
- [26] <https://legilux.public.lu/eli/etat/leg/loi/2004/06/08/n4/jo>
- [27] <https://eur-lex.europa.eu/legal-content/FR/TXT/PDF/?uri=CELEX:32019L0790&from=DA>
- [28] https://gouvernement.lu/fr/actualites/toutes_actualites/communiqués/2022/03-mars/31-droits-auteur-droits-voisins.html <https://legilux.public.lu/eli/etat/leg/loi/2022/04/01/a159/jo>
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- [31] <https://5minutes.rtl.lu/actu/luxembourg/a/1856181.html>
- [32] <https://wdocs-pub.chd.lu/docs/exped/0129/106/259063.pdf>
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- [34] https://www.stradalex.lu/fr/slu_src_publ_leg_mema/toc/leg_lu_mema_202206_251/doc/mema_etat-leg-loi-2022-05-23-a251-jo
- [35] https://gouvernement.lu/fr/actualites/toutes_actualites/communiqués/2023/03-mars/31-convention-media-service-public.html
- [36] <https://www.alia.lu/fr/news/publication-du-rapport-annuel-2021-de-lalia>
- [37] https://smc.gouvernement.lu/fr/actualites.gouvernement_fr/actualites/toutes_actualites/communiqués/2022/07-juillet/14-loi-organisation-etablissement-public.html <https://legilux.public.lu/eli/etat/leg/loi/2022/08/12/a460/jo>
- [38] <https://www.wort.lu/fr/luxembourg/les-regles-du-jeu-pour-une-campagne-electorale-equitable-63cf8c5dde135b9236259fa4> <https://budget.public.lu/lb/budget2023.html>
- [39] Data on funding of media can be found here: <https://data.public.lu/fr/datasets/aide-a-la-presse-2022/#resources>
- [40] <https://5minutes.rtl.lu/laune/actu/a/1021611.html>
- [41] https://gouvernement.lu/fr/actualites/toutes_actualites/communiqués/2022/05-mai/03-projet-loi-service-public-medias.html
- [42] https://smc.gouvernement.lu/fr/actualites.gouvernement_fr/actualites/toutes_actualites/communiqués/2022/05-mai/03-projet-loi-service-public-medias.html
- [43] Land, 2021, Indirekte Pressehilfe, 19 novembre.
- [44] <https://legilux.public.lu/eli/etat/leg/loi/2013/08/27/n5/jo>
- [45] <https://legilux.public.lu/eli/etat/leg/loi/2013/08/27/n5/jo>
- [46] https://smc.gouvernement.lu/fr/actualites.gouvernement_fr/actualites/toutes_actualites/communiqués/2022/07-juillet/14-loi-organisation-etablissement-public.html

- [47] <https://legilux.public.lu/eli/etat/leg/loi/2022/08/12/a460/jo>
- [48] Jean-Claude Schneider (doctor), Barbara Agostino (democratic party which wants to run in the legislative and municipal elections of 2023), Henri Grethen (former DP minister), Loris Meyer (deputy parliamentary secretary, DP), Christianne Wickler (Pall center group, former Green deputy).
- [49] It is composed of Jean-Claude Schneider (doctor). Barbara Agostino (democratic party which wants to run in the legislative and municipal elections of 2023), Henri Grethen (former minister), Loris Meyer (deputy parliamentary secretary, democratic party), Christianne Wickler (Pall center group, former deputy).
- [50] <https://www.dp.lu/dp-nationalkongress-in-krisenzeiten-verantwortung-uebernehmen/?lang=de>
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- [52] <https://www.alia.lu/assets/upload/images/2023-02-02-Communique-ALIA-Reunion-campagne-electorale.pdf>
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ANNEXE I. COUNTRY TEAM

First name	Last name	Position	Institution	MPM2023 CT Leader
<i>Raphael</i>	<i>Kies</i>	<i>Research Scientist</i>	<i>University of Luxembourg</i>	X
<i>Stephanie</i>	<i>Lukasik</i>	<i>Post-doctoral researcher</i>	<i>University of Luxembourg</i>	

ANNEXE II. GROUP OF EXPERTS

The Group of Experts is composed of specialists with a substantial knowledge and experience in the field of media. The role of the Group of Experts was to review especially sensitive/subjective evaluations drafted by the Country Team in order to maximize the objectivity of the replies given, ensuring the accuracy of the final results.

First name	Last name	Position	Institution
<i>Caregari</i>	<i>Luc</i>	<i>Representative of a journalist organisation</i>	
<i>Koedinger</i>	<i>Mike</i>	<i>Chairman of Maison Moderne</i>	<i>Maison Moderne</i>
<i>Hoscheit</i>	<i>Thierry</i>	<i>President of the Board of Directors</i>	<i>Autorité Luxembourgeoise Indépendante de l'Audiovisuel</i>
<i>Christophe</i>	<i>Goossens</i>	<i>CEO</i>	<i>RTL Lëtzebuerg</i>
<i>siweck</i>	<i>Jean-Lou</i>	<i>director</i>	<i>press council</i>
<i>Cole</i>	<i>Mark</i>	<i>professor in media and telecommunication law</i>	<i>Uni.lu</i>
<i>Melody</i>	<i>Hansen</i>	<i>Secretary and vice président of Conseil de Presse du Luxembourg</i>	<i>Association luxembourgeoise des journalistes professionnels</i>

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