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MOLDOVA

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Political complexities dominated Moldova's media scene in 2009, and the worldwide financial crisis also affected the media. For the first seven months, elections were the focus, and the results of the April 5 parliamentary vote raised serious questions. The governing Communist Party (PCRM) gained 60 out of 101 seats, and the political opposition (including the Liberal Party [LP], the Liberal Democratic Party of Moldova [PLDM], and Our Moldova Alliance [AMN]) won the remaining 40 seats. The parliamentary opposition did not recognize the results.

On April 6, young people organized a silent march, holding candles that symbolized "the death of democracy" in Moldova. Tens of thousands of youth spontaneously gathered the next day, but due to the interference of provocateurs, the protest turned violent, with vandalizing of the parliamentary and presidential buildings. More than 50 police officers were injured, and hundreds of young people were detained; some alleged torture. At least one young person died. The Communist Party leader, Vladimir Voronin, accused the opposition of attempting a coup, and suggested that Romania and Serbia were involved.

The government led its affiliated media outlets, such as the public broadcaster Teleradio Moldova, into a campaign to discredit the political opposition as well as some civil society representatives. The government accused NGOs and members of the Civic Coalition for Free and Fair Elections 2009 of involvement in the protests. Moldovan journalists were also assaulted, arrested, and harassed.

The new parliament was formed, but two attempts to elect the president failed. Eventually, that parliament was dissolved and early elections were set for late July 2009. The media loyal to the governing Communist Party turned the 45-day electoral campaign into an aggressive information war. Some newspapers and a number of important broadcasters, including public outlets, directed propaganda against the opposition, saying that it had no evidence that the April 5 vote was rigged, and blaming the party for the alleged attempted coup d'état that followed. Despite public awareness of broadcasters' violations of the laws in effect during this period, neither the Central Election Commission (CEC) nor the Broadcasting Coordinating Council (BCC) intervened.

The results of the early elections pointed to a fragile majority for the opposition—53 seats against 48 for the Communists. The opposition parties formed the Alliance for European Integration (AIE) and took power. During the post-electoral period, the media returned to normal activity, although a number of media outlets loyal to the Communists continued to distribute aggressive propaganda. For their part, the Communists, who moved into opposition, complained publicly that the new leadership undertook repressive measures against the freedom of the press.

The MSI panelists continued to see weakness in the Moldovan media sector's ability to meet the information needs of citizens. Due to the impact of the politicization of the media during the election period, the overall rating for the sector fell to 1.61 from 1.81 the year before. In particular, panelists noted a decline in journalistic professionalism, along with continued shortcomings in the business management of media outlets.

MOLDOVA AT A GLANCE

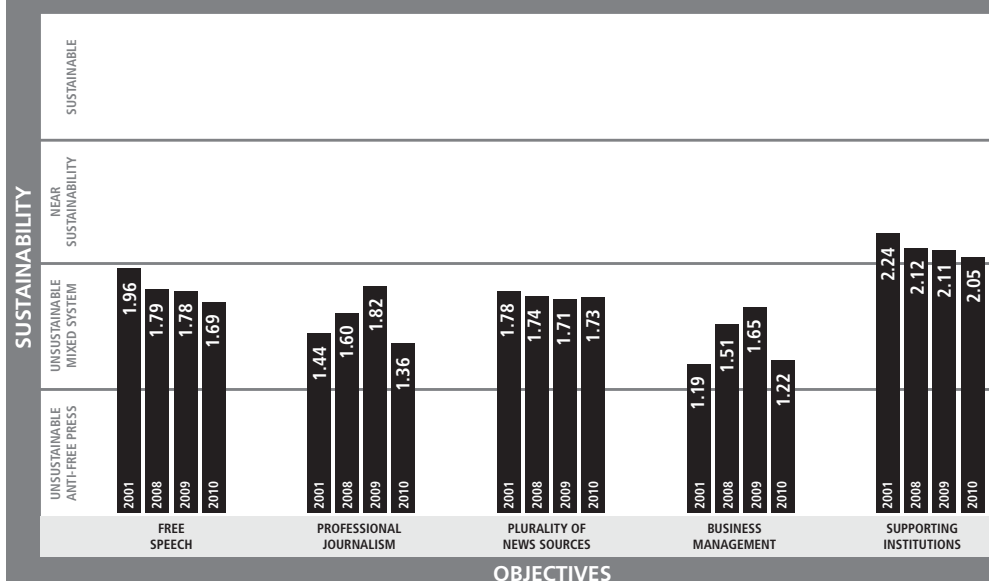
GENERAL

- > **Population:** 4,320,748 (July 2009 est., *CIA World Factbook*)
- > **Capital city:** Chişinău
- > **Ethnic groups (% of population):** Moldovan/Romanian 78.2%, Ukrainian 8.4%, Russian 5.8%, Gagauz 4.4%, Bulgarian 1.9%, other 1.3% (2004 census)
- > **Religion (% of population):** Eastern Orthodox 98%, Jewish 1.5%, Baptist and other 0.5% (2000 est., *CIA World Factbook*)
- > **Languages (% of population):** Moldovan (official, virtually the same as the Romanian language), Russian, Gagauz (*CIA World Factbook*)
- > **GNI (2008-Atlas):** \$5.338 billion (World Bank Development Indicators, 2009)
- > **GNI per capita (2008-PPP):** \$3,210 (World Bank Development Indicators, 2009)
- > **Literacy rate:** 99.1% (male: 99.7%, female: 98.6%) (2005 est., *CIA World Factbook*)
- > **President or top authority:** Acting President Mihai Ghimpu (since September 11, 2009)

MEDIA-SPECIFIC

- > **Number of print outlets, radio stations, television stations:** Print media: about 170 newspapers and magazines with local and national coverage in Romanian and Russian (www.moldpresa.md); Radio stations: 50; Television stations: 57 (www.cca.md)
- > **Newspaper circulation statistics (total circulation and largest paper):** N/A
- > **Broadcast ratings:** TV Moldova 1 and Radio Moldova, both state-owned, are the highest rated broadcasters.
- > **Annual advertising revenue in the media sector:** Television: €16 million; Newspapers: about €5 million; magazines: €1 million; Radio: €1.5 million (National Agency for Competition Protection)
- > **News agencies:** Infotag, Info-prim Neo, InfoMarket, Deca-press, Basa-press, Moldpres (state-owned), Novosti/Moldova
- > **Internet usage:** 850,000 (2008 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: MOLDOVA



Annual scores for 2002 through 2006/2007 are available online at http://www.irex.org/programs/MSI_EUR/archive.asp

Unsustainable, Anti-Free Press (0-1):

Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2):

Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3):

Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4):

Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

OBJECTIVE 1: FREEDOM OF SPEECH

Moldova Objective Score: 1.69

Panelists said that despite a generally good legal framework for freedom of expression, some laws still allow authorities to have control. This objective scored 1.69, compared to 1.78 the previous year.

The Constitution of Moldova, the press law, and the broadcasting code guarantee freedom of expression, but some provisions can be used as pretexts to limit this right. The constitution forbids “defamation of the state and the nation ... as well as other actions attempting to overthrow the constitutional regime.” The criminal code has not been adjusted to the European Convention standards, and provides for fines, community work, or imprisonment for libel against judges and prosecutors. Other criminal offenses include dissemination of certain information that is “protected by law and concerning private life.” The administrative code, which provides for up to 30 days of imprisonment for libel and insult, also does not live up to European Convention on Human Rights standards.

On the other hand, a 2000 Supreme Court of Justice decision on protection of honor, dignity, and professional reputation contributes to free expression by establishing that “no one may be punished for criticizing or insulting the nation, the state, or its symbols, unless the criticism or insult was intended and likely to incite imminent violence.”

Sorina Stefirta, editor-in-chief of *Timpul de Dimineata*, said that too many fail to assume the responsibilities that come with freedom of expression rights. Rodica Mahu, from *Jurnal de Chişinău*, said that the judiciary is not independent with regard to the media. She recounted her own experience of being inappropriately detained while reporting and seeing the police officers escape punishment.

The Broadcasting Coordinating Council (BCC) is the central regulatory authority, and MSI panelists found fault with its monitoring during the election period. They noted that the BCC surpassed its legal authority during the campaigns when it announced a moratorium on tendering broadcasting licenses. “It is inexcusable that the operation of an independent media regulating body be affected by the political developments in the country,” said Vasile State, from the Electronic Press Association (APEL).

Despite public awareness of some broadcasters’ violations of the laws in effect during the election period, neither the CEC nor the BCC intervened. Angela Zaharova of Elita TV in Rezina said that “due to the moratorium imposed on broadcasters, they had to be obedient during elections in

order to be able to obtain licenses [later].” The BCC applied the same sanction, a public warning, to all television stations monitored during the pre-election period for not having “ensured social and political pluralism,” even though, according to the MSI panelists, only NIT TV did not offer the right of reply to an electoral candidate.

In June, the Center for Combating Economic Crimes and Corruption announced the arrest of Valeriu Soltan, a BCC member who was alleged to have helped extort \$13,000 from the head of Sanatate, an NGO, in order to secure the broadcasting license for a radio station. According to the panelists, BCC became more independent after the second round of elections in July due to the change in political regime, including by extending Pro TV’s license after a court ruling against the agency for denying an extension in 2008.

In addition, after it assumed power, AIE amended the broadcasting code to unblock assigning members to the Council of Observers of the public broadcaster Teleradio Moldova. The government accepted the resignation of the director of the television and radio company MIR, Constantin Staris, who promoted the accusations of an attempted coup by the opposition; and the director of the state news agency Moldpres, Valeriu Renita, who openly supported the Communists in the electoral campaigns.

Rules for entering the media market are generally the same as for other business sectors, aside from the broadcasting license requirements. Doina Costin, of the media law unit at the Independent Journalism Center (IJC), said that state newspapers are at an advantage over independent papers because of the government’s financial subsidies to state papers. Also undermining private outlets is the requirement to pay VAT for advertising as for any other services or goods. Costin said that the VAT payment “contributes to the media businesses being underdeveloped and unprofitable.” Anatol Golea, general director of TV7, said that having public stations funded by the state budget but not restricted from commercial advertising revenues creates unfair competition for independent broadcasters.

According to Moldovan legislation, public and private media should be treated equally. But in practice, public and some private media are politically influenced. In 2009, the head of the state continued the tradition of issuing press conference invitations only to representatives of the media loyal to the Communists—including the public broadcaster and the state news agency Moldpres, panelists said.

In the countryside, the publications loyal to local administrations receive funding from local budgets and have more access to information than independent publications. Zaharova gave the example of the city of Rezina. The

publication *Farul Nistrean*, which strongly promotes the Communists, received 120,000 Moldovan lei from the Rezina budget for the last quarter of 2009.

The election period saw contests over media content and acts against journalists and their outlets. In February, the Chişinău Municipal Election Council No. 1, at the request of the Communists, ruled that a news item posted on the Unimedia website detailing the platform of the Liberal Party fell under the category of advertising. New Media Group, the owner of Unimedia, stated that the decision was aimed at censoring the independent media, and requested that a distinction be made between a commentary from electoral funds and a news item that presents facts, is of public interest, and cannot qualify as electoral campaigning. Subsequently, the Central Election Commission cancelled the municipal-level decision, saying that the call to sanction Unimedia was groundless.

In another incident, police raided the premises of Albasat TV in Nisporeni and insisted on starting an inspection. The police detained two employees for several hours, and the incident was regarded widely as a warning to the media not to be “inconvenient” for the government, panelists said.

A study of the April 2009 events published by Promo-LEX association stated that Moldovan journalists were harassed during mass illegal arrests. It noted that camera operator Oleg Brega was beaten while filming near a government building and his camera was seized, and police detained and threatened other journalists. Mahu was detained illegally by police, and journalist Petru Terguta, warned of his impending arrest, left Moldova under OSCE escort. Romania Actualitati Radio and the NewsIn agency withdrew their reporters from Moldova in order to ensure their safety. In July, Stepan Piron, the director of the Independent Journalism Center in Gagauzia, said that the Communist Party filed lawsuits against him in an effort to silence his appeals about party campaign tactics.

Media analysts and electoral contestants also pointed to political interference in the editorial activity of the public broadcaster Teleradio Moldova, and criticized the way debates were organized.

Under Moldovan law regarding defamation cases, the rights of the plaintiffs are prioritized over those of the media. Costin said that the civil code allows for excessive sanctions of journalists, who also bear the burden of proof for the truthfulness of their statements. Libel and insult are not offenses under criminal law, but the administrative code provides for imprisonment.

Panelists noted that the European Convention for Human Rights does not provide directly for the protection of the dignity and reputation of an individual. In a case that reached the European Court of Human Rights, *Flux* was sued by a Communist parliament member who said his honor and dignity were harmed by an article. Moldovan courts ruled against the newspaper, but the European court condemned Moldova in November 2009 for violating the newspaper’s right of free expression and ordered the government to pay *Flux* €5,000, including €3,000 for moral damages.

Moldova has laws facilitating access to information, but panelists said that the bureaucracy of civil servants often obstructs their enforcement. The law mandates that the government provide requested information immediately, in verbal or written form, if it is available. However, journalists are asked to send written requests that will be answered within 15 days. In September 2009, the Supreme Court of Justice ruled in favor of the Investigative Journalism Center and obliged the government to provide requested information concerning how funds were spent for the reconstruction of a monastery. During the last five years, the center has won 17 lawsuits against state institutions for restricting access to public information.

“Even though we can speak about two types of governance in 2009—Communist and Democratic—public servants continue to keep public information secret,” Stefirta said.

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

"Initially, the election committee denied *Timpul* access to the lists of sponsors of the Communist Party in both 2009 electoral campaigns. The newspaper was provided access to these lists only after it made a scandal out of this subject."

Local newspapers are in a more difficult situation. "On January 30, 2009, district councilors in Rezina, the majority of whom were Communists, denied media representatives access to their meeting," Zaharova noted. In June, the bodyguards of the Premier Greceanii denied access to journalists from TV-Prim rom Glodeni to the meeting between the Prime Minister and local civil servants. Panelists concluded that authorities and citizens are somewhat unaware that public information is not owned by the authorities.

The government causes no problems in accessing foreign sources of information, according to the panelists. The Internet is not restricted generally, and is a source of international information. However, April 2009 saw some alarming cases surrounding the post-election upheaval. On April 9, Facebook and the social networking website Odnoklassniki.ru became inaccessible to users in Moldova. On April 8, the administrators of the Unimedia information portal reported that their server had been attacked several times. Two broadcasters stopped temporarily the relaying of the programs of Realitatea TV and TVR 1 from Romania on Moldovan territory. As a result of blocking of the Internet sites, OSCE Representative on Freedom of the Media Miklos Haraszti sent an appeal on April 14 addressed to Moldovan authorities, urging them to provide free access to foreign media and create a proper environment for journalists to exercise their profession.

Moldovan legislation does not impose any restrictions on entry to the journalism profession, except for the requirement that journalists seek accreditation according to "the relevant procedure." However, in 2009, the former leadership ignored or arbitrarily interpreted accreditation rules, panelists said. For instance, following the April events, the Ministry of Foreign Affairs withdrew the accreditation of Romanian journalist Doru Dendiu for no stated reason. The journalist had to leave.

Additionally, the local television station Studio L in Causeni was sued for not asking permission to film a working meeting of the election council. "The television station won the case relatively easily, but it was nerve-wracking and time-consuming," State said. He noted that the electoral code states that media representatives have the same rights as accredited observers.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Moldova Objective Score: 1.36

The panelists said that Moldovan media practice two types of journalism: democratic and propaganda. Journalists cover events based on their adherence to one value system or the other, and this became more obvious during the 2009 election campaigns. As a result, the objective for this score dropped sharply, to 1.36 from 1.82 in 2009.

"Even news and stories on controversies are no longer based on several independent information sources," State said. "The monitoring of the activity of nine main television broadcasters during election campaigns showed that the majority of news and stories on controversies aired on most television stations were based on one information source, either official or of the party controlling the outlet. Moreover, the number of stories on controversies aired on Moldova 1 television station was very small, whereas at Teleradio Gagauzia, it was nearly non-existent." According to Petru Macovei, executive director of the Independent Press Association, "of all television broadcasters, only Pro TV, TV7 and TVC 21 try to practice quality journalism. The rest are propaganda tools." Eugen Uruşciuc, director of the Monitor Media Agency, said that often, especially at local media outlets, "even those journalists who know how to produce quality news stories are not able to, because they have to work in two or three places in order to support their families and simply do not always have time to practice quality journalism."

Moldova has had the Code of Professional Ethics Principles for Journalists in place since 1999. In 2006, the national public broadcaster developed two self-regulation documents, and in 2007, the Code of Conduct for Broadcasters was developed in accordance with the provisions of the broadcasting code and approved by BCC. These documents list ethical standards similar to those accepted by international professional journalist associations.

In October 2009, six NGOs operating in the field of media, human rights, and public policy founded the Press Council of Moldova. This self-regulatory body declared itself independent and stated that its major task was to "examine complaints concerning the editorial activity of newspapers, magazines, news agencies as well as web portals." Some of the council's objectives are to enhance media responsibility towards readers, ensure compliance with professional standards and journalism ethics, settle disputes among

readers and publications, promote quality journalism, and increase media credibility. The impact that this new body will have is not yet clear.

Despite the existence of ethics codes, Moldovan journalists neglect ethical standards most often because, according to Mahu, “credibility—the most treasured capital of a journalist—is not a wished-for quality that journalists would like to possess [in Moldova].” Alexandru Burdeini, editor-in-chief of the news agency Infomarket Media, said that low salaries force journalists to write paid reports. “It is regrettable that a lack of professional ethics resulted in the so-called ‘journalistic polemic,’ when journalists fight among themselves, thus ‘copying’ politicians,” Stefirta said. Constantin Marin, dean of the Journalism Department at Moldova State University, stated that media practices in 2009 “proved that the media and journalists often practice political partisanship.”

Panel members agreed that in 2009, journalists and editors representing both public and private media practiced self-censorship for political or economic reasons. According to Zaharova, “Before the election campaign, Retro FM radio station unilaterally cancelled its contract to retransmit Radio Free Europe programs. Also, Moldpres agency did not release the news story on the decision of the Constitutional Court as of December 27, 2009 concerning the legal character of the appointment of Mihai Ghimpu as acting president of the country.”

Costin said that self-censorship is not necessarily due to government pressure. “Self-censorship practiced by some media outlets is a consciously assumed vice that also stems

from their conviction. NIT TV station is a case in point. When, at the BCC meeting on November 6, 2009, the issue of penalizing NIT for violating the principles of objective and fair reporting was raised, the director of the station replied that NIT targeted a certain audience that appreciated this type of journalism, and that such an editorial policy was completely justified.”

Stefirta added, “Some advertising suppliers request explicitly that their advertisements shall not be placed close to ‘negative news.’”

Panelists said that they believe that the media sieves information to suit the authorities’ political agendas, thus ignoring issues of interest to the public. IJC and API monitored seven television broadcasters during their coverage of the April protests and concluded: “Moldova 1, NIT, N4, and Prime TV presented news selectively, provided biased coverage of events, did not abide by the principle of plurality of information sources, [and] manipulated text and images, and thus offered to the audience biased information tendentiously presented from the viewpoint of the central public administration. On the day when the riots occurred, Prime TV and EU TV did not broadcast any newscasts, thus depriving the public of a plurality of information sources. Pro TV and TV 7, both with regional coverage, offered the floor to all parties involved in the conflict.”

Blogs and social networking sites often cover issues that cannot be found on the first pages of newspapers. However, rarely do they tackle public interest issues of major importance. “Currently, in Moldova, the majority of blogs resemble more ‘personal diaries.’ Few journalists keep blogs that would cover civil society developments,” Stefirta said.

Panelists agreed that salaries of media professionals have seen no positive changes, and they are not high enough to discourage corruption. There is no difference in the salaries paid to media professionals and those paid to most other professionals. However, local journalists are paid less than their colleagues from the capital. Salaries of broadcast journalists are higher than those of print media journalists, but overall, the share of journalists who “live” on their salary is insignificant. This reality contributes to the phenomenon of journalists migrating from one newsroom to another, and from one political or economic owner to another. This is also why “those who value money more than anything easily slide into corruption,” Mahu said. “Only the most dedicated journalists—those who practice it for the sake of the art, or those with social support (a spouse with a better income, parents who work abroad, etc.)—stay in journalism. However, political ‘owners’ know how to motivate journalists: they offer money, positions, awards, and a good place on the party list.”

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

- > Reporting is fair, objective, and well sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exists (investigative, economics/business, local, political).

Panel members said that entertainment programs produced abroad and relayed by Moldovan broadcasters overshadow news programs. "Local broadcasters do not produce their own entertainment programs at all. They need more staff and financial resources than they have at the moment," Zaharova stated.

The majority of radio broadcasters tend to produce newscasts first and foremost because they are less expensive. A number of local, regional, and central radio stations broadcast five-minute newscasts hourly. No television station, including the national public broadcaster, can afford this. Usually, television broadcasters put their efforts into evening newscasts. The great majority of television stations fill their airtime by relaying foreign programs, including entertainment, and very few have well-developed news departments. According to the monthly audience measurements of 12 television broadcasters, conducted by the Moldova office of AGB Nielsen Media Research, contests and reality shows far overshadowed newscasts in the ratings in 2009.

Panelists said that the quality of printing continues to be a problem for newspapers, which remain unattractive both for readers and advertisers. There have been some technical improvements in broadcasting, including in the countryside, where international donors have been active with grants for equipment. Generally, however, "local television stations can hardly purchase anything—especially now, during the crisis," State said. In terms of modern technologies, the panelists did make note of the launch of the online radio Jurnal FM and online television Privesc.eu in October 2000, which broadcast live from important events.

Panel members agreed that specialized reports and programs are rare, although the print media offer more than broadcasters. In December 2009, the print publication *Economist* and the online *Business Expert* merged to establish a new newspaper, *Economist*, with 16 pages and a circulation of 6,500 copies. The motivation of print media journalists comes mostly from contests funded by foreign organizations. During election campaigns, the media loyal to the ruling party started broadcasting a new type of "specialized programs" criticizing either certain political parties or some leaders of the opposition parties. Journalists were given "compromising information" based on which "investigations" were produced.

Moldova has some investigative blogs. Regarding the reasons for the online format, Stefirta said, "one of the explanations would be access to information, but also the high cost of producing such reports, especially for television use."

OBJECTIVE 3: PLURALITY OF NEWS

Moldova Objective Score: 1.73

Moldovan citizens have unobstructed access to a multitude of information sources. "However, the majority of the media are partisan, and therefore we cannot speak about trustworthy and objective news," said Golea. Stefirta added, "While newspapers can still reach the countryside, the majority of television and radio stations that broadcast in Chişinău and do not have national coverage remain largely unknown in villages. Social networking websites as well as blogs are popular among young people and...in cities."

Local private broadcasters outside the capital have limited coverage as well as limited production capacity for local news. Reports on local news range from several items a day to one newscast a week. As in previous years, the only accessible source of information for a large part of Moldova's population remains Teleradio Moldova. According to Zaharova, the station is perceived as a reliable source in the regions, which "was obvious after the April events, when countryside residents were cursing young protesters," she said. Lately, a growing number of people, including in the countryside, have been installing satellite dishes to have access to multiple television channels. Nevertheless, due to an insignificant number of Moldovan television stations broadcasting via satellite, these people will not have greater access to local news.

According to the National Regulatory Agency for Electronic Communications and Information Technology (ANRCETI), broadband Internet reached a penetration of 4.63 percent (compared to 23 percent in the EU) in September 2009 in Moldova. The vast majority of Internet users are concentrated in cities. For instance, broadband Internet has reached a penetration of more than 30 percent in Chişinău, and more than 10 percent in Bălţi. More than 40 operators provide Internet access, with Moldtelecom holding a 67.2 percent market share and Starnet and ORANGE Moldova with 10.4 percent and 5.3 percent, respectively (www.anrceti.md). Based on the November 2009 Public Opinion Barometer, 8.6 percent of the respondents consider the Internet their primary source for information. Cell phone operators provide SMS news feed service for a fee, but this means of information has not become popular.

Moldovan legislation does not restrict citizens' access to international media, although city residents have much easier access than rural residents. The disparity is due to the unbalanced policy of frequency distribution among radio and

television broadcasters that BCC has pursued since 1997. As a result, the capital and two or three other cities have too many broadcasters and some provinces have none. There are now no frequencies left, so media observers hope that digitalization may allow more stations to enter the market. The same is the case with Internet accessibility.

Thus, the majority of rural areas have access to the public broadcaster and the two private channels with national coverage (TV Prime and 2 Plus, with an insignificant amount of local programming) as well as two television stations (NIT and N4) loyal to the Communist party and with quasi-national coverage. "One can find mainly Russian newspapers on the market, and far fewer—and mainly entertainment papers—from Romania. Well-known foreign dailies cannot be found in Chişinău kiosks," Mahu said.

The government does not directly restrict citizens' media access, aside from the aforementioned blockage of some news and social networking sites in April. However, it has taken indirect steps, noted Vasile Spinei, director of Access-Info Center. He noted that Pro TV was denied a license extension until it sued the BCC, and Vocea Basarabiei radio station's repeated requests for frequencies were denied for years, until the fall of the Communist party.

According to the panelists, neither the public broadcasters nor the state print media reflect the entire political spectrum. They practice political partisanship and do not act in the public interest. "The struggle to ensure freedom of expression at the public broadcaster Moldova 1 is a lost one," said

Marianne Mikko, head of the delegation of the European Parliament, at an April 29 press conference. "Therefore, I believe that the necessary reforms should be conducted right now, since, during the five years that I have been monitoring the developments in Moldova, I have not noticed any improvement in this respect."

In the middle of the electoral campaign, three political parties (AMN, PLDM, and LP) refused to take part in election debates aired on EU TV, over objections to its editorial policy. On March 19, PLDM accused state-supportive media of organizing campaigns aimed at discrediting real opposition, saying: "Newspapers, television and radio stations, news agencies, and information portals loyal to the power distribute literally the same news pieces criticizing the opposition and praising the leadership."

After having monitored 24 media outlets, the Independent Journalism Center and the Independent Press Association stated on April 1, 2009 that the media are separated into three groups: one that supports the Communist Party and criticizes opposition, one that criticizes the Communist Party and supports certain opposition parties, and one that tries to provide neutral coverage of the electoral competitors.

Moldova has several news agencies. In addition to print news services, some agencies provide photo and audio services (Info-prim Neo) and online services (Novosti-Moldova). Initially, news agencies in Moldova established themselves as independent and non-partisan bodies. News outlets considered them trustworthy sources of information and were used and quoted extensively by other media. However, according to Stefirta, "The year 2009 saw an obvious deterioration of the situation in this respect, because some news agencies [Omega agency and Moldpres state agency] got openly involved in the election campaign and served the interests of the ruling party as true propaganda tools."

Mahu agreed. "I counted three independent news agencies in terms of their editorial policies—Info-prim Neo, Deca press and Infotag. Media outlets use the news feeds provided by news agencies without always indicating them as sources. I believe that nobody in our media market can afford to subscribe to international news agencies," she said.

The vast majority of private broadcasters in Chişinău produce their own newscasts and current affairs programs. Broadcasters with wide coverage such as NIT TV, N4 TV, Prime TV station, and Antena C radio station basically air slightly altered versions of the news from Teleradio-Moldova. The newscasts on Pro TV, TV 7, TVC 21, and Vocea Basarabiei radio station are distinctly different.

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

- > A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- > Citizens' access to domestic or international media is not restricted.
- > State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for print and broadcast media.
- > Independent broadcast media produce their own news programs.
- > Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

Local private broadcasters are located in Briceni, Edinet, Drochia, Glodeni, Floresti, Soroaca, Soldanesti, Rezina, Causeni, Straseni, Cimislia, Basarabasca, Taraclia, Ciadir-Lunga and Comrat. The majority produce some daily news on community issues. The same is true about the local private radio stations located in Edinet, Glodeni, Orhei, Singera, Anenii-Noi, Tighina, Ribnita, Nisporeni, Cimislia, Basarabasca, Taraclia and Cahul. Most of them produce news in Romanian and Russian. Local private broadcasters in Comrat produce news in Gagauz as well, and those in Taraclia produce additional news in Bulgarian.

Moldovan media law generally uses the terms “founders/co-founders” rather than the term “owner.” This is one reason why citizens do not have access to information about the ownership of media outlets, panelists said, although readers generally can deduce ownership based on the publication’s content. According to the press law, in January and July each year, periodical publications and news agencies are required to report sources and value of donations, including the non-financial donations, from local and foreign individuals and legal entities. However, this provision has not been observed.

There is no record of financial corporations purchasing media outlets in Moldova. Officially, the media sector has no monopolies. The broadcasting code stipulates that an individual or a legal entity may own up to two broadcasting licenses for the same area and that “an individual or a legal entity, local or foreign, may be a direct or indirect investor or major shareholder of up to two different types of broadcasters.”

No major foreign investments have been in Moldovan media to date, although Romanian and Russian programming has a heavy presence on Moldovan television. At the end of 2009, it was announced that two newly established satellite television stations, Jurnal TV and TV Publika, will receive investments from Germany and Romania. Panelists were divided over whether this development is positive or negative.

The media with national reach fail to regularly cover social issues, the panel agreed. Public broadcasters and state print media have avoided social topics, especially during election campaigns, since it could have had a negative impact on the image of the ruling party. More often than not, in order to avoid controversy, media outlets refuse to cover sensitive issues. Stefirta gave an example: “In 2009, the intention of a religious minority to organize a demonstration in the center of the capital was harshly criticized by the Orthodox church and its supporters. The same harsh criticism was received by media that covered these events and thus ‘dared’ to invoke the right to free assembly.”

OBJECTIVE 4: BUSINESS MANAGEMENT

Moldova Objective Score: 1.22

Panelists said that in 2009, Moldovan media did not progress significantly in obtaining the economic independence that would support editorial independence. Business management deteriorated significantly, according to the MSI scoring, which dropped to 1.22 from 1.65 in 2009.

Panelists noted that the economic crisis pressed the media to become more efficient. However, outlets that develop feasible business plans and implement accounting practices and financial techniques in accordance with internationally accepted standards are an exception rather than a rule. Few professionals see and manage media outlets as businesses. “Business managers are not well trained and do not have the necessary skills to tailor media products to market demands [and] thus contribut[e] to the viability and profitability of their businesses,” Macovei said.

In order to survive the financial crisis, local radio broadcasters have either reduced their staff or cut down their production costs by re-broadcasting archived programs. “As advertising is concentrated in the capital, local media outlets try to make ends meet,” Mahu said. “State and public media do not manage taxpayers’ funds responsibly. The lack of transparency in the spending of public funds, and the quality of media products that have been strongly criticized by taxpayers, prove this point.”

National legislation stipulates that public and private media outlets may have multiple sources of funding. Public radio broadcasters and state print media are funded largely from national and local government budgets. Private media draw their funding from sales, advertising, sponsorship, grants, donations, and specialized services. The funding that state media receive is not enough, and because it is transferred annually, outlets are even more politically dependent. The influence of the political factor is also obvious in the case of some important private media outlets, which are more interested in pursuing ideological impact than economic viability. These media outlets (NIT TV, N4 TV, EU TV, radio Antena C, Moldova Suverana newspaper, Nezaavisimaia Moldova newspaper, Omega news agency, and others) have been favored financially by the former authorities. As a rule, such media institutions “are taken care of” by their political protectors until they are no longer needed; then are left on their own. EU TV station is a case in point. After the Christian Democratic People’s Party, the real owner of EU TV, lost in the parliamentary elections, the broadcaster stopped airing news and current affairs programs, panelists said. They noted

that since October 2009, salary arrears have accumulated, resulting in a strike and the departure of some staff. In the provinces, many private media outlets survive on support from international donors seeking to ensure more pluralistic information sources outside of the capital.

Panel participants agreed that the advertising sector in Moldova is underdeveloped, although they noted some progress. "A growing number of advertisers prefer to work through advertising agencies, which, as a result, started to play a more significant role on the media market. Surely, they work with media outlets based on the audience measurements that they have at their disposal," Stefirta said. However, Golea noted that "prices for audience measurements are extremely high; consequently, few media outlets can afford such a luxury. Moreover, sometimes the results of audience measurements are manipulated."

Both the media and advertising agencies lack marketing specialists. The few experienced agencies are overwhelmed with requests. University students study marketing, but based on foreign textbooks and the experience of other countries that differ significantly from Moldova. A limited number of media outlets use services provided by advertising agencies. *Jurnal de Chişinău*, for instance, draws up to 20 percent of its revenues from advertising agencies, and "the rest is attracted by its staff," said Mahu, the paper's editor in chief. Local print and broadcast media outlets are selling their products themselves.

The situation is different in the case of television stations; international research firms measure their audience regularly. About 50 percent of advertising in Moldova goes into

television, and is estimated at €16 million annually, which the director of the National Agency for Competition Protection announced at a November government meeting. The amount of advertising going into newspapers was estimated at about €5 million, whereas the amount going to magazines was estimated at €1 million. Radio broadcasters received about €1.5 million.

Currently, advertising agencies collaborate more actively with media outlets that can supply audience data than with online media. However, according to the organizers of the International Specialized Fair, Advertising & Design – 2009, even though the amount of advertising has significantly decreased in Moldova in 2009, "the only type of advertising that did not suffer from the effects of the financial crisis is online advertising—which, therefore, starts to look more attractive." The fast-growing online advertising market represents about 2 percent of the total share of the advertising market in Moldova, and was estimated at \$800,000 in 2009. Experts forecast 50 percent growth in online advertising in 2010, based in part on the growing number of Internet users (numbers climbed to about 1.4 million in 2009).

In terms of investment in advertising, foreign companies rate first, followed by local private companies and then state companies. According to the majority of the panelists, with few exceptions, the quality of advertising in all types of media is far from professional.

The share of advertising revenues in Moldovan media is still much below generally accepted standards in other countries. About 60 to 80 percent of revenue from local print media and radio broadcasters comes from sources other than advertising (subscriptions, sponsorships, sales, and services to individuals, companies, and sometimes government bodies). "In Moldova, subscriptions represent a well-rooted tradition. Editors struggle to get the largest share of subscribers" in the print media and also the cable television sector, Stefirta said.

Usually, only television and radio broadcasters, along with newspapers/magazines with the highest ratings, use the space provided by law (20 percent of each broadcasting hour, and 30 percent of the space of a newspaper/magazine) for advertising. The rest of the media outlets, especially regional ones, feel a constant shortage.

The government subsidizes a certain number of media outlets, but lack of transparency about the criteria for fund distribution makes outlets more dependent on the authorities, affecting their editorial policies, Costin commented. The Communist authorities encouraged private media outlets that were loyal to them and discouraged those that were critical of them, Costin added, and the

INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

BUSINESS MANAGEMENT INDICATORS:

- > Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- > Independent media do not receive government subsidies.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- > Broadcast ratings and circulation figures are reliably and independently produced.

independent *Jurnal de Chișinău* reported in 2009 about the pressure that authorities applied on businesses to withdraw their advertising from non-state media. The government is an insignificant source of advertising for Moldovan media compared to foreign or local private companies. However, distribution of what little state advertising exists is unfair and lacks transparency, and this generated public debates in 2009, panelists said.

Because placement of private and government advertising is in part politically motivated, “market studies are not in demand, let alone the fact that they are very expensive,” said Marin. Although there are professional, international companies that do independent audience measurements and provide complex data (including audience demographic characteristics and preferences), only a limited number of media outlets can afford to commission such studies. These outlets use the market study results in order to tailor their products to audience preferences. According to reports provided by AGB Nielsen Media Research, audiences prefer mainly foreign movies and entertainment programs, especially from Russia, rather than local news programs. Some media outlets carry out audience measurements on their own, mainly by means of telephone polls. For instance, *Jurnal de Chișinău* newspaper cannot afford to commission studies but publishes annual reader questionnaires.

Print media circulation figures are random and are usually stated as higher than the reality. In 2009, after a number of attempts over several years, the Audit Bureau of Circulation in Moldova (ABCM) was established. It aims to provide a real picture for the advertising market in the country. Media outlets that try to run as businesses became members of ABCM, while those that survive from sources other than advertising have refused, Stefirta said. “The Audit Bureau of Circulation has not yet become an important factor in managing advertising data,” Marin noted.

Golea and Burdeiiiii, editors-in-chief of Infomarket Media, said that they feel that market research is not objective, but influenced by the Casa Media advertising agency, which has a near-monopoly on the market and can use studies for its own interests. Casa Media took over Video International Agency for a day in November 2007 under obscure conditions, and currently distributes 72.3 percent of television advertising. The agency has contracts established with five television stations: Prime, NIT, STS, 2Plus, and MuzTV.

Although the amount of online advertising grows proportionally with the number of Internet users, the lack of some independent web counters makes it impossible to get reliable information about online audiences.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Moldova Objective Score: 2.05

This objective scored 2.05 this year, registering a negligible decrease from 2.11 last year. The organizations supporting the media did not manage to avoid the political cleavages of journalists and editors along political lines.

Moldova has a number of independent trade organizations, including the Union of Journalists (UJM), API, APEL, the Association of Cable Television Providers, the Association of Local Television Stations Media Regional, the Association of Local Television Directors Meridian, the League of Professional Journalists (LJP), and others. API, APEL and the Association of Cable Television Providers are the most active. Media Regional and Meridian were founded in 2009, and have not yet asserted themselves in support of their goals for stimulating business development. Notably, LJP was founded at the suggestion of the Communist authorities and provides sporadic attention to the interests of media outlets loyal to the former leadership. API provides legal and technical support to its members, holds professional training sessions, and assists in attracting advertisers. APEL provides assistance and consulting concerning legal, journalism, and management issues to its members. In addition, it monitors the activity of the BCC and works to improve media legislation.

The Association of Cable Television Providers coordinates creation of television channel packages, purchases equipment for its members at better prices, pursues IT market research by sending some of its members to specialized exhibits, and develops policies toward local and foreign cable television distributors, among other tasks. Media Regional assisted its 13 members with organizing and carrying out televised debates during parliamentary election campaigns in 2009, and attracted advertising to be distributed by all its members. Acces-Info Center provided legal assistance to the Investigative Journalism Center, which won a lawsuit against the government.

The Union of Journalists of Moldova (UJM), a member of the International Federation of Journalists and associate member of the Romanian trade union MediaSind, does not operate primarily as a trade union. Mainly, the union issues public statements in cases of violations of members’ interests. “We cannot speak now about a professional trade union that could protect journalists’ individual rights,” Spinei said.

A number of other associations specialize in specific areas, such as the Guild of Agricultural Journalists, the

Sports Journalists' Association, the Association of Business Journalists, the Investigative Journalism Center, and the Young Journalist Center. Also, Moldova has a number of operational clubs, such as the Chişinău Press Club, the Investigative Journalists' Club, and the Journalism Students' Press Club that organize periodical discussions on timely issues. Media bloggers have not established any associations.

A number of organizations advocate for freedom of speech by issuing public statements and protesting. For instance, in February 2009, UJM requested publicly the dismissal of the Interior Minister, and condemned the raid on the television station Albasat in Nisporeni carried out by three police officers without a search warrant. In April 2009, organizations issued a joint statement in which they voiced concern over "the deterioration of the media climate, violations of the right to access to information, and the attacks against journalists" and called on the Moldovan authorities "to ensure media freedom under the obligations incumbent to Moldova as a member of the Council of Europe." In July, the same media NGOs signed a joint declaration to raise awareness about intimidation of journalists during the elections, and said that authorities had restarted anti-democratic practices of entry into Moldova to some journalists on various pretexts.

IJC, Acces-Info, API, and APEL are involved in reviewing media-related legislation in order to bring it in line with European norms. IJC offers legal advising to media outlets and journalists. Eight media NGOs submitted a Media Roadmap to the Parliamentary Committee for Culture, Education, Research, Sport, and Media, as well as to the parliament speaker. The Media Roadmap lists five fields of reforms proposed by civil society: the public broadcaster, the

broadcasting coordinating council, the print press, policies to stimulate the development of independent media, and legislative reform. Moldovan media nongovernmental organizations also collaborate with international and regional organizations promoting freedom of speech.

During the upheaval surrounding the elections, the Ministry of Justice accused NGOs and members of the Civic Coalition for Free and Fair Elections–Coalition 2009 of involvement in the protests and required them to submit more information on the protestors. Also, the State Tax Office subpoenaed many NGOs, requiring them to submit, on short notice, all financial documents for 2008-2009 and disclose all income sources. The office found no serious irregularities, nor did it close any NGOs. During the election campaign, the authorities managed to establish Civic Control - Elections 2009 Coalition, a body of 15 Moldovan NGOs, as an alternative to Coalition 2009. The goal of this coalition was to monitor "the content of the stories released by national television, radio, and print media." The reports made public by this organization suggested that its real purpose was to polish the image of the authorities and the media loyal to them, panelists said.

The State University of Moldova, Free International University of Moldova, European Studies University, Slavic University, and the State University of Comrat offer journalism courses. Although political influence is not an issue, finding skilled teachers who have experience in modern media practices is challenging. Marin, dean of the Journalism Department of Moldova State University, noted that in 2009, students from Moldova State University had the opportunity to study in Western universities for two semesters, and to participate in training courses held by European specialists. However, panelists mentioned that few of the students that graduate from foreign universities return to Moldova to exercise their profession.

Moreover, local media fail to find space for the excessive number of local graduates. "Every newsroom can absorb bright young people rather than any graduating journalism student who will need to be taught the profession all over again," said Mahu, sharing her discontent over the lack of practical skills seen in new graduates. Zaharova recalled that a high school student who used to participate in the station's news production returned to the station after graduating from a Chişinău journalism school and asked, when assigned to prepare a vox-pop, whether the survey should be positive or negative. "She had never asked such a question before going for her studies," Zaharova said.

Media professionals have limited choice in terms of short-term training courses. For instance, the School of Advanced Journalism at the Independent Journalism

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists' rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

Center provides a one-year course to about 20 new journalists. In 2009, the Soros Foundation–Moldova offered specialized media training courses to community interest program producers from 11 regional radio stations and 13 regional television stations. USAID also trained regional broadcasters in 2009. National media NGOs such as IJC, API, APEL, Access-Info, and the Young Journalist Center held short-term training sessions, seminars, and conferences for various categories of media professionals. International institutions such as OSCE, Council of Europe, and the EU supported seminars and trainings focusing on media in elections, journalistic ethics, access to information and other topics. All types of training courses are in demand. News editing, business, social topics, and investigative journalism are covered frequently in these programs, but Moldovan media have a great need for training courses on media management, online journalism, marketing and advertising, copyright laws, digitizing the technological process, and others, panelists said.

The panelists shared the opinion that although newsprint is supplied by private companies and the majority of the presses are privately owned, this does not guarantee lack of political influence. “There are only two printers in Chişinău—one is state-owned and the other is owned by a political party leader,” Costin said. The lion’s share of distribution is controlled by the state company Posta Moldovei. However, the panelists said that after the parliamentary elections in July 2009, these companies have become more flexible. For instance, *Timpul* managed to collaborate with Moldpresa and Posta Moldovei in order to jointly distribute a “book in the bundle.” Until recently, it has been nearly impossible to negotiate with these institutions that would always hamper and boycott independent publications,” Stefirta said.

The press distribution network, including kiosks, is managed mainly by the state. Burdeinii noted that even though Moldova has a private network of kiosks, distribution is extremely expensive for the media. In June 2009, a new press distribution network was established, managed by the Moldo-Romanian company Megapress. The company announced that it would sell newspapers and magazines in Romanian and Russian published in Moldova, and plans to include international press in the network. Megapress also said it will not discriminate on any grounds—political affiliation, language, or country of origin in particular.

Most transmitters, although not the most powerful ones, are privately owned. Internet services are provided mainly by private companies that use Moldtelecom’s network. The authorities do not regulate access to the Internet, although the April events show that they can exercise some level of control.

List of Panel Participants

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