

**MEDIA**

**SUSTAINABILITY**

**INDEX**

**2004**



**IREX**

"THE SITUATION IS EVEN MORE GRAVE SINCE PUBLIC AUTHORITIES OF THE HIGHEST LEVEL IGNORE THE LETTER OF THE LAW. THIS NEGATIVE EXAMPLE SET BY THEM IS FOLLOWED BY ALL THE OTHER LEVELS OF THE ADMINISTRATIVE HIERARCHY," VASILE SPINEI EXPLAINED.





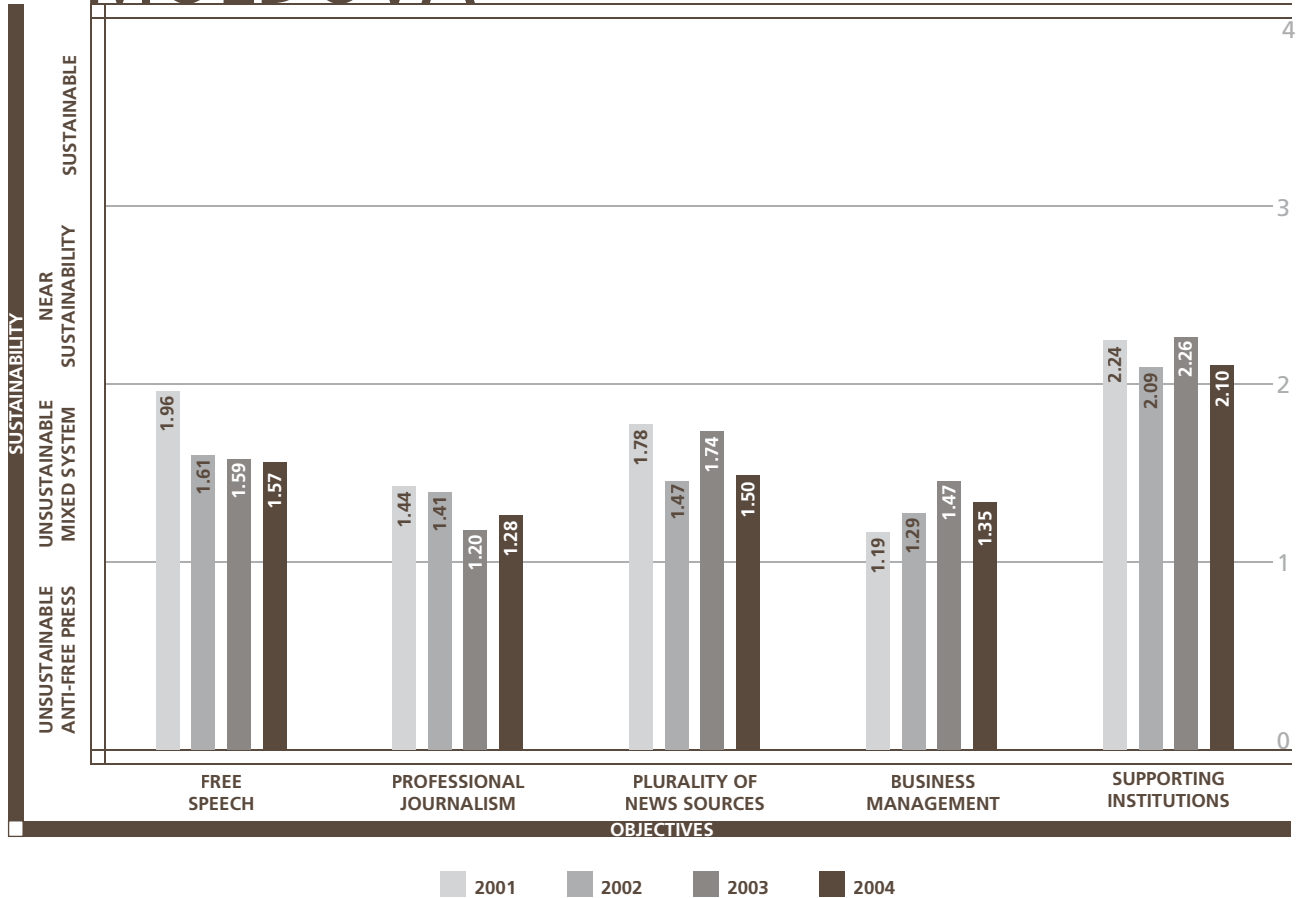
The attitude and actions of Moldova's Communist Party-led government toward the media during 2004 seemed to be most influenced by the elections due in March 2005. Members of the Media Sustainability Index (MSI) panel described 2004 as a period of stagnation at best, with little chance of improvement in the overall political environment or the media situation in particular until after the voting, which was expected to end the Communists' absolute majority in parliament.

When the Communist Party came to power in 2001, it promised to join the Russia-Belarusian Union, to strengthen the role of the state in the economy, and to re-establish some Soviet-style social programs—and with 71 of the 101 seats in the Moldovan parliament, it could amend the Constitution. But being unable to solve the problem posed by separatist Transnistria, including failing to get Russia to withdraw troops from the majority Russian-speaking region, the party changed its orientation and announced European integration as a goal. Declaring itself a European-style Communist Party did not, however, mean that authoritarian habits faded. The democratic opposition, represented by the left-center Moldova Nostra party and the right-center Popular Christian Democrats, accused the communists of re-establishing censorship, conducting ideological purges, ignoring separation of powers, and violating judicial independence.

The government did respond to demands to decriminalize libel by removing from the criminal code the article allowing imprisonment of up to five years, a penalty that had not been implemented in the courts. However, it also ignored calls for changes to the civil code that allows limitless compensation for moral damage, a provision that was used extensively in lawsuits brought against journalists. Moreover, on October 14, 2004, an amendment quickly passed an initial reading in parliament that would require all print publications to re-register as nonprofit organizations.

# MEDIA SUSTAINABILITY INDEX

## MOLDOVA



**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.

Under pressure from the Council of Europe and the Organization for Security and Cooperation in Europe (OSCE), which asked the Moldovan authorities to create the conditions necessary for free and fair elections, the state-owned radio and television stations were subject to transformation into public institutions during 2003. This proved to be little more than a pretense for the national broadcaster to rid itself of controversial staff. The practice of using public institutions as propaganda against political opponents only increased and became more radical during 2004 as elections approached, while access to supposedly public media became increasingly difficult. For example, the authorities tried to revoke the licenses of the Chisinau stations Antena C and Euro TV Chisinau, two municipality-based outlets that were perceived as supporting the opposition. At the same time, the authorities continued to seize independent media and to allow the proliferation of private broadcasters loyal to the authorities through preferential licensing.

The weak advertising market, the difficulty of attracting capital, and the lack of good management make private media—with some exceptions—dependent on additional funding and therefore exposed to editorial interference from political forces. This dependency continued to fuel self-censorship and partisanship. MSI panelists did see some positive development in the field of investigative journalism, however.

Many citizens, especially those in rural areas, cannot afford to obtain full access to the media. Posta Moldovei continues to monopolize press distribution, and newspapers are delivered late. The development of private distribution networks is stalled by the slow growth of media circulation. The national radio and television outlets, public service in theory only, have preserved their status as the most accessible information sources. The other two television stations that have nationwide coverage rebroadcast programming from Romania (Romania 1) and Russia (Pervii canal v Moldove). In December 2004, the local NIT TV station, loyal to the Communist authorities, received a broadcast license to expand its coverage to 70 percent of the country. Of the three private radio stations covering about two-thirds of Moldova, only one produces its own programs and newscasts. The district authorities have reverted to the Soviet-era practice of publishing their own newspapers, thereby pushing aside the local press. International radio stations are accessible across the country; the Internet is also available from the legal viewpoint, but is limited in many districts due to the inadequate infrastructure.

The schism in the journalism profession along political lines has deepened. This fissure is promoted by the

government, which has reverted to the Soviet-era practice of creating pseudo-democratic institutions, so called governmental nongovernmental organizations (NGOs).

## OBJECTIVE 1: FREE SPEECH

**Moldova Objective Score: 1.57 / 4.00**

MSI panelists differed on whether the legal and practical conditions in which the independent media operate improved or deteriorated during 2004, compared with the previous year. The majority argued that pressure on the media had not subsided, although the Communist Party authorities tried to fake a change of attitude. "This has been a year of disguise," said Val Butnaru, editor-in-chief of the independent weekly *Jurnal de Chisinau*. "The authorities have called repeatedly for the observation of the freedom of press norms, but in reality this has been a year of pressure exercised upon journalists, of limiting access to information."

### Legal and social norms protect and promote free speech and access to public information.

#### FREE-SPEECH INDICATORS:

- > Legal/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 the offended party 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.

Although freedom of expression is guaranteed by the Constitution, enforcing that principle through the ban on censorship remains a serious problem. There have been many accusations of censorship, especially at state television and other state-owned outlets, and legal, political, and economic pressures continue on private

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media. There have been no positive developments in this regard, the panel agreed, and there still are laws contradicting the spirit and the letter of the Constitution and the international norms of free expression.

The panel participants noted that government authorities finally responded to the appeals of civil society and international experts by removing criminal code Article 170, which placed criminal liability on journalists for libel and allowed imprisonment of up to five years. At the same time, panelists were disappointed that the widely challenged civil code Article 1423 eliminating any ceiling on pecuniary compensations for moral damages remains in effect, and is often used in the courts. Experts have repeatedly pointed out that having no limits on such fines restricts the free expression of ideas and opinions and encourages self-censorship. In one case, an investigative story published in January 2004 that exposed the sale of Skoda luxury cars by the Daac-Hermes Company to the State Chancellery, the *Timpul* weekly was sued in court for about \$2 million. *Timpul* lost and had to pay \$110,000 in damages, bankrupting the paper and forcing its closure. (The publisher turned to producing a new weekly, *Timpul de Dimineata*.) There is a clear difference in libel damages paid by state-owned and private media, the latter usually facing higher penalties. “There is (also) a trend toward awarding public figures much higher damages than are awarded to regular citizens,” said Vlad Gribincea, a lawyer for the Center for Human Rights.

Another weakness of media legislation is that the defendant must prove that the information published is true, according to Article 16 of the civil code. Consequently, journalists and media outlets have had to pay damages even when they acted in good faith and verified the information that they published. The judiciary has allowed legal entities to request compensation for moral damages caused by libel.

The publication and the journalist who authored the information are both liable, regardless of the content and whether the publication supported it.

The criminal code contains other provisions that can send a journalist to prison for libel. Article 304 mandates a fine of approximately \$300 to \$750 and up to two years imprisonment for libeling a judge or criminal investigator. The administrative code provides for incarceration of up to 30 days for libel. Although there have been no prosecutions of the media under these articles, the threat remains. “These provisions contradict European standards of free expression, and the Parliamentary Assembly of the Council of Europe recommends that they be revoked,” Gribincea said, citing the council recommendation 1589 of 2003.

On October 14, 2004, Moldova’s parliament gave initial approval to a draft amendment to the Press Law and the Law on Entrepreneurship and Enterprises that would require all print media and news agencies to re-register with the Ministry of Justice in the so-called Single National Register (SNR). Media outlets also would be forced to become nonprofit organizations, an initiative the government claimed would “increase the responsibility of newspapers and news agencies.” Five media-support organizations signed a protest criticizing the government for “attempting to rein in the press before elections by making it think more about registration than about accurate coverage of events and providing information representing public opinion.” The panelists emphasized that government authorities continue their undemocratic practice of passing laws in a nontransparent manner without broad public discussion, particularly through the media.

According to some panelists, the duplicity of the Communist authorities clearly emerged during the transformation that was supposed to turn the state company Teleradio-Moldova into a public institution, a process they said had been badly compromised. The main objective—holding the editorial policy of the company to the standards of a genuine public service—has not been reached, the panelists agreed. “The intentions of the authorities were good, but the Soviet-style reflexes of the Teleradio-Moldova administration took over and they simply took advantage of this situation to get rid of unwanted people,” said Vasile Botnaru, bureau chief for Radio Free Europe in Moldova.

All panel participants agreed that the transformation of the state company into a public institution was not transparent enough. Panelists believed that the hiring panel was not objective or competent, and was composed of people loyal to the government. Protests by journalists from the company’s television

and radio outlets began on July 27, 2004, and observers from international organizations agreed that there were serious questions about the process. The lack of real democratic change at the company led to the resignations of a member of the parliamentary opposition from the broadcast company's governing Council of Observers and a member of the editorial staff who had been appointed to the company's hiring panel. In addition, monitoring of newscasts and sociopolitical, political, and economic programs on TV Moldova 1 and Radio Moldova conducted from June through November 2004 by the Independent Journalism Center (IJC) and the Research Center CIVIS showed that "the existing legislation is not enough to guarantee the editorial independence of the Teleradio-Moldova Company and its operation as a genuine public broadcaster," according to the monitors' report.

In response to criticism from civil society groups and international organizations including the Council of Europe, OSCE, and the European Union regarding the lack of adequate conditions for free and fair elections, Moldovan President Vladimir Voronin requested in December that the Teleradio-Moldova Council of Observers drastically limit the time given to state authorities in the news programs. While some council members perceived this call as interference in the work of Teleradio-Moldova, the majority supported the request. Nonetheless, most MSI panelists agreed that censorship remained common practice at Teleradio-Moldova.

Panel members also reported that broadcast licenses and frequencies are not issued in a fair or competitive manner, a perspective supported by a December 2004 report by the OSCE representative Miklós Haraszti: "Tenders for frequency allocations are offered at very short notice and do not provide enough time for potential applicants to prepare all the necessary documents. The composition of the (tender) Council does not guarantee its objectivity. Also, there is a lack of transparency in the decision process regarding the allocation of frequencies." According to the Broadcast Law, when licenses are awarded, consideration must be given to "the pluralism of opinions, equal treatment of participants, quality and diversity of programming, free competition, national broadcast products, and the programs' independence and impartiality." These criteria are vague, and because all the Broadcasting Coordination Council (BCC) members represent the governing party, licenses can be distributed arbitrarily. For example, in refusing to award a frequency requested by Vocea Basarbiei radio, the BCC stated only that the programming the station proposed was "provincial." The BCC rejected the programming proposed by four television stations (Telecanal-26 in

Chisinau, Albasat TV in Nisporeni, TV Euronova in Ungheni, and TV-Prim in Glodeni), which had planned to create a television production and distribution network. The BCC argued that "these stations included in their programming rebroadcasts from other stations"—a stand that conflicts with the fact that the vast majority of television stations in Moldova received licenses specifically for the purpose of rebroadcasting foreign channels. Only one BCC member voted to award the license.

The BCC is used as a tool for exerting pressure on controversial media, panelists said. On February 3, 2004, the BCC suspended the licenses of Chisinau's Antena C radio station

and Euro TV, two broadcasters viewed as loyal to Chisinau Mayor Serafim Urecheanu, one of the main opponents of President Vladimir Voronin. The BCC

ruled that the foundation documents and legal status of the stations failed to meet the provisions of the Broadcast Law. Civil society groups and a number of international organizations criticized the decision as excessive, particularly because the BCC did not dispute the content of Euro TV and Antena C and the stations were willing to adjust to the law's provisions. Only in early April, after Antena C met specific conditions, did the Registration Chamber finally register the two outlets, which then regained their licenses from the BCC. Even then, the retransmission of Antena C was blocked in some areas because of mysterious "technical problems," and the main cable operator in Chisinau, Sun TV, refused to carry Euro TV in its cable packages.

In late December, after three years of stonewalling, additional frequencies were awarded to Antena C and another putatively opposition channel, Vocea Basarabiei. These licenses were not delivered before a private station loyal to the authorities, NIT, had been awarded coverage to 70 percent of Moldova. NIT will be the only private channel with such broad coverage. Between NIT and control of public TV Moldova 1, the authorities reinforced dominance over television media, which a November 2004 IMAS survey showed was the preferred source of information for 82.5 percent of people living in Moldova.

Most panelists felt that Moldovan legislation does not treat independent media differently from other

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businesses when they enter the market. However, the economy is not a favorable environment for media businesses, and the government does not try to support the media sector as it does other industries.

And although state and private media are on the same footing legally, there are additional favorable conditions for state-owned outlets. For example, state-owned newspapers do not pay rent at the Press House, where half of the newspapers and magazines published in Moldova are located, while their journalists enjoy the privileges of public servants. During subscription campaigns, the government forces public institutions and state-owned businesses to subscribe to government papers. President Voronin has promised to support publications printed by district councils and to “reduce the tariffs for technical services delivered to local broadcast media.” OSCE representative Miklós Haraszti, reporting on the media in December 2004, said “the concept of taxpayer-supported print media is incompatible with advanced democracy. However, as a minimum requirement, the number of these newspapers should not grow, and there should be no administrative or advertising discrimination against the nongovernmental printed media. There is no need to re-establish the so-called ‘*gazete raionale*,’—that is, the district newspapers paid for by local governments.”

The panelists considered whether the unwillingness of some businesses to advertise with independent newspapers critical of the authorities may be viewed as a form of pressure on such newspapers. “When a business person advertises with a government paper which has a much lower circulation than some independent papers, and when he tells me he was pressured into it, what reasons do I have not to believe him?” asked Val Butnaru, director of the independent weekly *Jurnal de Chisinau*.

Two serious attacks against journalists occurred in 2004. As cameraman Valeriu Timus was filming protests by an opposition party in downtown Chisinau on January 25, 2004, unidentified men posing as law officers seized his camera and tried to take him into custody. The prompt response by other journalists sent the attackers scurrying, but police officers nearby who saw the incident did not intervene. The authorities ignored the case, and the attackers were never found or prosecuted.

On June 23, journalist Alina Anghel, who had investigated the luxury car scandal involving the government and been threatened repeatedly by telephone, was attacked by two strangers while en route to her office. The attackers beat her with a crowbar and disappeared before the police arrived. The journalist was rushed to the hospital, where doctors found that she had a concussion and a broken arm. Little was done to investigate the threats or the attack, and the perpetrators were never found.

According to the Access to Information Law passed four years ago, any individual residing legally in Moldova can request any information or document from public authorities and institutions without being required to provide a justification. In 2004, about 15 lawsuits were filed against public institutions for their refusal to provide public information. Only a few of the cases have resulted in victories by the plaintiffs, while others have languished in the legal system. In one, *Timpul* newspaper was refused access to the transcripts of the parliamentary sessions. In another case, Dmitry Ciubasenco, editor of the weekly *Moldavskie Vedomosti* and known for his criticism of the government, was refused accreditation to access the presidential administration in 2004 “due to the lack of room,” according to a February report in the newspaper. The courts subsequently found the refusal justified.

Monitoring by Acces-Info Center has shown open defiance by public institutions of constitutional provisions such as the Access to Information Law and of international agreements, including the European Convention for Human Rights. “The situation is even more grave since public authorities of the highest level ignore the letter of the law. This negative example set by them is followed by all the other levels of the administrative hierarchy,” said Vasile Spinei, director of Acces-Info.

The state does not limit media access to international news and sources of information, but the financial resources of the outlet or the journalist may prove a barrier.

Journalism may be practiced by anyone, and journalists do not receive any special rights or privileges. There is no official licensing, but journalists often must receive accreditation from state institutions, such as parliament or ministries, in order to have access to news conferences and other events. Foreign journalists must obtain accreditation from the Ministry of the Exterior.



## OBJECTIVE 2: PROFESSIONAL JOURNALISM

Moldova Objective Score: 1.28 / 4.00

Most of the panelists evaluated the quality of journalism practiced in Moldova as developing very slowly, almost imperceptibly. Some suggested that journalism deteriorated further in 2004 because even news agencies succumbed to political partisanship. Only investigative journalism seemed to be better off. "This is because investigative journalism started practically from scratch," said Angela Sirbu, executive director of the IJC.

Although surveys show increasing popular confidence in the media, it is difficult to see these results as reflecting the real professionalism of the journalism practiced. A November 2004 survey by the Marketing and Polling Institute and commissioned by the Institute for Public Policies found the media to be the second most trusted social institution (62.4 percent level of trust) after the church (68.9 percent). The same survey showed that the most trusted media outlets were TV Moldova 1 and Radio Moldova – even though most journalists (79 percent) questioned by the Center for Information, Training and Social Analysis (Captes) believe that these stations fail to observe the principles of "plurality of opinions, objectivity, and balance."

Professional journalism is gaining ground only slowly in Moldova even though most journalists (80 percent) consider themselves to be informed "sufficiently" and even "to a large extent" about the ethics code adopted in Moldova in May 2000, according to the Captes survey of journalists, conducted in November-December 2004. The code stipulates, among other things, that journalists must distinguish clearly between information and opinion, and use only information they know is true and based on reliable sources. The information should be presented in an impartial manner, and journalists must not receive third-party compensation for publishing stories or opinions. Furthermore, the code states that journalists must respect the privacy of individuals. However, state media and even the owners of some private media, including news agencies, maintain certain "taboo" topics, such as government corruption, abuse of power, or criticism of the president—practices that contradict the principles of free expression and the ethics code.

***"The government undermines standards of quality by alleging civic and social concerns. In this way, they attempt to justify bias by promoting fierce 'patriotism' in response to fake threats to the state's integrity and sovereignty," explained Vasile Botnaru.***

The Captes survey also found that only 40 percent of the journalists questioned said they "never" accepted tasks incompatible with professional standards, such as writing favorable stories without specifying that they were paid for the coverage. Thirty-three percent of the surveyed journalists believed that the colleagues in Moldova practice political partisanship in their coverage "to a very large extent," while 53 percent said this happens "to a great extent." The reasons for these results were "money" (79.3 percent), "dependence on the state" (6.9 percent), and "lack of professional dignity" (4.6 percent), according to the survey.

Panelists agreed that self-censorship is generally widespread in Moldovan media. Self-censorship is not decreasing and is practiced by both public and private media, they said. Lack of access to information remains another serious barrier to the development of professional journalism.

In 2004, both public and private media outlets already were getting involved in the election campaign.

### 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).

Although supposedly a public broadcaster, Teleradio-Moldova appeared largely pro-government in its coverage, generally starting newscasts with stories lauding the top-level government officials or negative stories about the opposition. Virtually no coverage

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of opposition activities was included. “The government undermines standards of quality by alleging civic and social concerns. In this way, they attempt to justify bias by promoting fierce

‘patriotism’ in response to fake threats to the state’s integrity and sovereignty,” said Vasile Botnaru, chief of the local Radio Free Europe bureau.

In 2004, print journalists earned salaries averaging \$100 to \$150 per month, both at private and state publications. In the provinces, salaries averaged between \$50 and \$100. At private broadcasters, journalists are paid an average of \$300 per month. At the state station, \$100 is the average wage. According to the chairperson of the Confederation of Trade Unions of Moldova, Petru Chiriac, even a \$100 salary—promised to the population by the authorities—fails to cover basic needs.

Journalists often seek supplementary income. They also are aware that their salaries do not always depend on

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their performance, but may instead reflect their obedience. Journalists from state and private media are used as tools in media denigration campaigns against political opponents. Young journalists do not

differ much from the older generation in this area, panelists agreed. “A different principle applies: The less you understand, the more convincing you are,” said panelist Irina Severin, editor of the independent weekly *Kishiniovski Obozrevatel*.

Most private radio and television stations have their own broadcast equipment, including transmitters.

Teleradio-Moldova and some private radio stations, including several Russian channels, use the services of the State Radiocommunications Company. Teleradio-Moldova has serious technical problems, with more than 80 percent of its equipment outdated, according to the panel. Private stations are in somewhat better shape, but only foreign stations that are subsidiaries of Russian or Romanian media companies can afford to invest in equipment upgrades.

Investigative journalism was one area that “improved considerably” during 2004, said Val Butnaru, editor-in-chief of *Jurnal de Chisinau*. Most panelists agreed that the creation of the Center for Journalistic Investigations represented a step forward. “The stories produced by this center represent a positive example and encouragement for investigative journalists,” said Butnaru. However, the authorities are not responsive to disclosures made by the press, said Botnaru of Radio Free Europe. Additionally, the high costs of conducting journalistic investigations and the fear of lawsuits in response to the articles continue to hamper media outlets that want to conduct probing coverage.

### OBJECTIVE 3: PLURALITY OF NEWS SOURCES

**Moldova Objective Score: 1.50 / 4.00**

Newspaper editor Irina Severin expressed the general opinion of the MSI panel members this way: “In order to be informed accurately, and especially to be informed fully, our citizens cannot rely on only one source—one television channel, one radio station, one news agency, or one newspaper. Citizens need alternatives. Unfortunately, most of the time there are no alternatives. Financial, geographic (the person lives in a village), or political limitations (the person lives in the eastern regions of Moldova under the separatist regime) prevent alternatives.”

According to Moldpresa, the state newspaper distribution agency that publishes a yearly list of the publications that can be subscribed to in Moldova, the country’s press landscape has not undergone major changes. At the end of 2004, there were 28 national Romanian-language newspapers in Moldova, of which two were dailies, two were biweeklies, and the rest were weeklies. There were 34 Russian-language newspapers, including four dailies (two published in Moscow) and one biweekly. The government publishes two of these dailies, one in Romanian and one in Russian. Six newspapers, of which one is a daily, are affiliated with political parties. Of the Russian-language papers, six are affiliated either openly or covertly with

**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.

political parties, alliances that are clear judging by the content. In separatist Transnistria, there are seven newspapers. One is published four times a week, and another one comes out three times a week. There is only one weekly in Romanian, and it is in the Cyrillic alphabet. Additionally, about 40 local and regional publications exist in Moldova, including the Gagauz autonomous region, of which almost half are funded by local budgets.

The number of broadcasters also was little changed in 2004. In addition to Radio Moldova, which covers the entire country, only Antena C, which is owned by the city government in Chisinau, and the private Russkoe Radio and Hit FM cover 70 percent of Moldova. Local radio stations exist in almost all the towns and district centers of Moldova. In television, in addition to public channel Moldova 1, the Russian and Romanian public channels also have nationwide coverage. From December 2004, private but pro-government television channel NIT was to cover 70 percent of the country.

There are no legal restrictions concerning access to the Internet. About 17 percent of Moldova's population uses the Internet, according to a survey conducted as part of UNDP's E-Moldova project in October 2004. Compared with 2003, the Internet became more

available in the major towns of the country. In rural areas, Internet access remained rare. According to an IMAS survey in November 2004, 4.2 percent of Moldova's population preferred the Internet as their source of information, compared with 3.3 percent in November 2003.

The population has free access to domestic and international media, without political, legal, or technical barriers.

However, access is limited by financial capacity. Moldavians can listen to international radio stations such as BBC, VOA, Radio Free Europe, Radio France Internationale, and Deutsche Welle. A number of domestic cable and broadcast operators carry BBC World, CNN, TV5, RAI, Deutsche Welle, and others. Also, the most important channels from Romania, Russia, and Ukraine are accessible.

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The high cost of Western and Romanian newspapers price them out of the market in Moldova. However, Russian newspapers are sold at reasonable prices and nearly dominate the information market in the country. In a best-case scenario, an average family can afford to receive one publication. According to a survey commissioned by the Institute for Public Policies in November 2004, about 27.7 percent of the population had not read a single newspaper in the past three months. The survey said 12.4 percent read newspapers once a month or less frequently, and 18.9 percent read a paper several times a month. Only 11 percent of the respondents read newspapers daily.

In contrast to Chisinau, where there is a large choice of information sources, options are few in most rural communities. In many villages, there are no news

kiosks, radio programs are not broadcast regularly, and only one or two television stations are available. Print media reach villages after much delay. Many people are deprived of the most basic information. After a reversal that returned the country's political divisions to the Soviet-era district (raion) system, the government started to fund district newspapers, which undermined the position of independent regional and local newspapers.

A monitoring in June-November 2004 of newscasts and other information programs on TV Moldova 1 and Radio Moldova conducted by the IJC and CIVIS indicated that the supposedly public stations "failed to ensure adequate airtime to all political parties." The survey suggested that the governing party still controlled the broadcasters and used them as propaganda tools, noting "the views of the authorities dominated at the expense of opposing views."

In addition to the state-owned news agency Moldpres, there are a range of private news agencies. They sell their services to news media outlets, foreign embassies, and private companies, but some are subsidized by

unpublicized sources. The MSI panelists expressed concern that even some of the news agencies have chosen political sides, and these affiliations can be determined based on the style of reporting.

Most independent

radio and television stations rebroadcast foreign programs, mainly from Russia and some from Romania. The radio stations broadcast local news (three to five minutes every hour) based on news-agency packages. In Chisinau, only public channels Radio Moldova, city-owned Antena C, Radio Free Europe, and BBC produce their own newscasts. In addition to Moldova 1 and municipally owned Euro TV Chisinau, a few other television stations carry original newscasts: PRO TV, NIT (the first channel from Russian state television), and TV 21. Outside of Chisinau there are local radio and television stations such as Balti, Comrat, Cahul, Cimislia, and Edinet that produce original newscasts.

To obtain broadcast licenses and frequencies, stations must apply to the BCC. Applicants must submit a statement of direct or indirect financial support

from other companies, a list of funding sources with documents proving the viability of funding, the founder's appointment of the station manager, and the manager's résumé. However, such data are insufficient for identifying potential instances of media concentration, and there are no provisions that could ensure the transparency of media ownership. MSI panelists said the governing party uses intermediaries to buy out established independent media, citing examples such as the newspaper *Accente*, which became popular by investigating the dealings of top officials, and the BASA-Press news agency, one of the first private agencies in Moldova. "Given the limited access to information, exacerbated by the population's poverty, the authorities launched massive attacks on independent media in order to take them over," said Valu Butnaru, director of the independent weekly *Jurnal de Chisinau*. "The cases of *Accente* and BASA-Press represent the beginning of a process that threatens to further reduce the segment of free press."

Monitoring of Teleradio-Moldova programs in 2004 showed a discrepancy between the coverage of real issues faced daily by citizens and the topics covered by the broadcaster, which has a mandate for public service, according to panelists. In addition to a marginalization of social issues, they said, there is a reluctance to cover events that would be of interest to the public, such as protests. The programs aired on Euro TV Chisinau and Antena C focus mainly on Chisinau-related issues. Most radio and television stations broadcast or rebroadcast entertainment programs. Independent periodicals cover a much wider range of topics, including social, economic, and minority issues. However, radio journalist Vasile Botnaru considered social journalism "still a territory on which very little is explored compared to political journalism."

Materials published by national minorities (Ukrainians, Gagauz, Bulgarians, and Jews) face financial difficulties. The press in Transnistria and Gagauzia is published mainly in Russian. Most broadcasting favors the Russian language, although media publications are divided about equally between Romanian and Russian. According to the 1989 census, ethnic Romanians represent 65 percent of Moldova's population. The ongoing Transnistrian conflict creates communication problems between the majority Russian-speaking eastern districts on the left bank of the Nistru river and the rest of Moldova, from which this region unilaterally declared independence in 1991 amid suggestions that the country would re-unite with neighboring Romania.

***"Given the limited access to information, exacerbated by the population's poverty, the authorities launched massive attacks on independent media in order to take them over," Valu Butnaru said.***

**OBJECTIVE 4: BUSINESS MANAGEMENT**

**Moldova Objective Score: 1.35 / 4.00**

All the MSI panelists agreed that media revenues fall far below expectations, although there has been some improvement. The group also agreed on the reasons for the poor revenues, although they differed on the order of importance. Moldovan media are largely unprofitable as a result of the very slow development of the advertising market, which in turn depends on the slow development of the market economy in Moldova and the general poverty of the population. Other factors hindering the growth of media are the lack of experienced media managers and the Soviet-era perception that media are propaganda tools rather than businesses.

"Businesspeople remember the media when they need propaganda, not when they think about incomes," said editor Irina Severin. Commercial revenues cover only part of the operating expenses of the outlets, and that leaves the media constantly searching for other funding sources. Printing presses are affected too, since they cannot work at full capacity due to small circulation numbers. Printers cannot upgrade their equipment, and the quality of printing does not meet quality standards.

**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.

The state continues to have an important role in the media market as owner of the Press House, a complex built as a national center for the print media that houses half of Moldova's print publications. The government also owns the press distribution companies (Moldpresa and Posta Moldovei), many printing houses in Chisinau and in the districts, and the fixed radio signal transmission network that is managed by the state enterprise Radiocomunicatii. The government determines the rent fees paid by most newspapers, as well as the printing prices, distribution and newsstand sale prices, and the fees for communication and radio signal transmission services. The emergence of independent press distributors, such as Omnipresa in Chisinau, has failed to decrease the rather high distribution prices.

Media revenues generally continue to depend, sometimes to a high degree, on political and other noneconomic factors. Businesses and advertisers avoid media suspected of supporting the opposition. "As a rule, if you want a lot of advertising, you have to be on good terms with the Communist authorities. You cannot have both a lot of advertising and criticize the state at the same time. This is not possible in Moldova," said Nicolae Negru of the IJC.

***"Media business is nothing more than a declaration of intentions. In reality, newspaper and broadcast directors are still nostalgic for the times when money was provided by somebody else. Consequently, the mimicking of business activity in the media is the ugliest side of Moldovan journalism," Val Butnaru explained.***

There are two serious impediments to the development of the advertising market. One barrier is the low level of direct foreign investments, which decreased even further after the Communists took power in 2001. The panelists noted that local business leaders avoid investing in advertising because they do not believe in the results from advertising. Some businesses do not advertise in newspapers to avoid the attention of tax authorities. The ad market in Moldova is also weakened by the coverage of television stations from Romania, Ukraine, and Russia. Foreign companies advertising in neighboring countries cover Moldova as well. Anatol Golea, director general

of Analiticmedia-group, which re-broadcasts the Russian first channel, advocated a prohibition on broadcasting advertising not paid for in Moldova.

While ad revenues have been increasing, they still fail to reach a level that would preserve the media's independence. It is difficult to estimate the real size of the advertising market due to a lack of transparency. However, a brief analysis leads panelists to believe that it is much less developed than the markets in Romania, Ukraine, and Russia.

Subscriptions provide most of the revenue for private newspapers. Some newspapers increase their circulation

through free subscriptions subsidized by unknown sources. Hidden advertising also exists. Newspapers belonging to political parties receive further subsidies from their owners. However, many sources of financial support for the media are unknown. The government does not subsidize independent

***“Unfortunately, the independent media are not very well-managed businesses, and therefore the economic situation of many independent publications is pitiful. This state of affairs, in turn, affects the editorial independence of newspapers,” Petru Macovei explained.***

outlets. “Unfortunately, the independent media are not very well-managed businesses, and therefore the economic situation of many independent publications is pitiful. This state of affairs, in turn, affects the editorial independence of newspapers,” explained Petru Macovei of the Association of Independent Press.

Market surveys are still rare in Moldova. There is a dearth of information that could be used for designing business strategies and marketing plans. Audience and market-share research commissioned once a year by the IJC with funds from international donors is not sufficient. Although periodicals are required by law to disclose their circulation data, the numbers they release can be inaccurate. There is still no audit bureau for circulation, although discussions have been ongoing about creating one.

Panelists concluded that in 2004 both the advertising market and the tools for studying the market have not been adequate for developing a healthy independent media sector. “Media business is nothing more than

a declaration of intentions,” said editor Val Butnaru. “In reality, newspaper and broadcast directors are still nostalgic for the times when money was provided by somebody else. Consequently, the mimicking of business activity in the media is the ugliest side of Moldovan journalism.”

## OBJECTIVE 5: SUPPORTING INSTITUTIONS

**Moldova Objective Score: 2.10 / 4.00**

Panelists observed that even in 2004, the intense political struggle before the 2005 parliamentary elections made it more difficult for trade and professional organizations to operate. On one hand, media had to defend the freedom of expression and press independence when these rights were threatened. For example, supporting institutions reacted to the suspension of the broadcast licenses of Euro TV Chisinau and Antena C, the protests of the Teleradio-Moldova journalists, and the adoption of the amendment on re-registering periodic publications. On the other hand, these events triggered a split between those who disapproved of the authorities' actions and those who did not want to be cast as opposing the government. Some panelists supported the view that although fighting limits imposed on the media by the government would inevitably lead to accusations of a

### 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 private, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

political motivation, not doing so would mean “giving up a mission one has undertaken.”

As in 2003, private media owners are represented by several organizations. The Association of Independent Press (API) founded in 1997 includes 17 national and local newspapers and magazines published both in Russian and Romanian. The Association of Electronic Press (APEL) was founded in 1999 and represents 22 radio and television stations, production studios, and individual professionals. Both API and APEL provide consultancy services, legal help, and training. API sells advertising in member newspapers to Chisinau businesses. It has also developed and maintained the website of some newspapers outside of Chisinau. APEL conducted a market survey beginning in July 2004 to be made available to its members.

Both associations point to the lack of solidarity among media owners, many of which are politically affiliated and avoid all affiliation with media organizations for fear of upsetting the Communist authorities. The government generally does not like the media associations because they were created with support from international donors.

Among professional organizations, the Union of Journalists (UJM) has been the most active organization defending journalists’ rights. However, some journalists do not participate in UJM activities for political reasons. The League of Professional Journalists, although created by the state in 2002 as an “alternative” to UJM, has stood out in 2004 by declarations of support for journalists protesting at Euro TV, Antena C, and Teleradio-Moldova. Panelists concluded that creating a strong trade-union to bring together journalists regardless of their political views was impossible currently. “Building solidarity is a difficult process, a very difficult one. And the government is doing its best to divide journalists, as it did by creating ‘alternative’ organizations for writers and journalists,” said Nicolae Negru of the IJC.

In addition to API, APEL, and UJM, media nongovernmental organizations (NGOs) actively support freedom of expression and independent media. Among them are the IJC, the Committee for Freedom of the Press, and Acces-Info, which are largely supported by donor assistance. They regularly monitor media legislation, attempt to improve access to information, train media workers, and defend professional rights. NGOs supported journalists from Euro TV and Antena C by helping them secure their re-registration and attracted the attention of the public and international organizations to the half-hearted approach of the authorities in transforming Teleradio-Moldova into

a public institution. In response, the authorities have used articles in the state media to accuse the NGOs of “antigovernment activity.”

Most panelists agreed that the main shortcoming of university journalism courses in Moldova at the Journalism and Communications Faculty at the State University and the Journalism Faculty at the Free International University of Moldova is the emphasis on theoretical instruction. Although there is much debate on the need for substantial practical experience, the situation has not changed. The universities have poor technical resources and lack the equipment for practical courses. Others blame the inertia and the traditional preference of Moldovan universities to teach theoretical concepts. “The veterans of the Soviet school of journalism are still there,” said Angela Sirbu of the IJC.

On the other hand, journalists in Moldova do not always take advantage of opportunities to improve their knowledge. There are opportunities to learn about Western journalism and to acquire new skills

at short-term courses organized by the various media-support organizations. “As a rule, such institutions meet the professional interests and needs of journalists and independent media. The problem here is the lack of interest of some journalists to use these courses, their unwillingness, [or a lack of time] to improve professionally,” explained Petru Macovei, director of the Independent Press Association.

Panelists agreed that except for money there are no other problems for printing companies. Printers are both state-owned as well as private. There are no restrictions limiting their availability. However, in Chisinau, there is only one private printer as an alternative to the state-owned Universul. Another private printing house would not survive because of the low print media circulation. Most local newspapers are printed by private businesses that during Soviet times were part of the Communist Party printing network.

The press distribution system is dominated by two major companies, state-owned Posta Moldovei and SA

***“As a rule, such institutions meet the professional interests and needs of journalists and independent media. The problem here is the lack of interest of some journalists to use these courses, their unwillingness, [or a lack of time] to improve professionally,” Petru Macovei noted.***

Moldpresa, the successor to the state-owned company Moldsoiuzpechat. They have a virtual monopoly on press distribution in Moldova. The process of establishing private distribution companies is halting because of the slow growth of print media circulation. However, private distributors such as Omnipresa in

***“Building solidarity is a difficult process, a very difficult one. And the government is doing its best to divide journalists, as it did by creating ‘alternative’ organizations for writers and journalists,” Nicolae Negru said.***

Chisinau do exist. “The monopoly held by state companies on press distribution discourages media professionals and businesspeople from building an alternative distribution network,” stated Val Butnaru, publisher of *Jurnal de Chisinau*.

Internet access is possible without legal restrictions through private providers and state-owned Moldtelecom. The privatization of Moldtelecom was suspended because of the lack of suitable buyers. Specialists believe that Moldtelecom’s monopoly on the communication network prevents Internet-access prices from decreasing, and this monopoly slows the increase in users.

## Panel Participants

**Val Butnaru**, director, independent weekly *Jurnal de Chisinau*

**Vasile Botnaru**, bureau chief, Radio Free Europe

**Irina Severin**, editor, independent weekly *Kishiniovski Obozrevatel*

**Vasile Spinei**, director, Acces-Info Center

**Vlad Gribincea**, freedom-of-expression lawyer, Center for Human Rights

**Angela Sirbu**, director, Independent Journalism Center

**Petru Macovei**, interim executive director, Association of Independent Press

## Moderator

**Nicolae Negru**, editor-in-chief, Mass Media in Moldova bulletin, Independent Journalism Center

## Observer

**Iuri Datii**, IREX Representative, Moldova

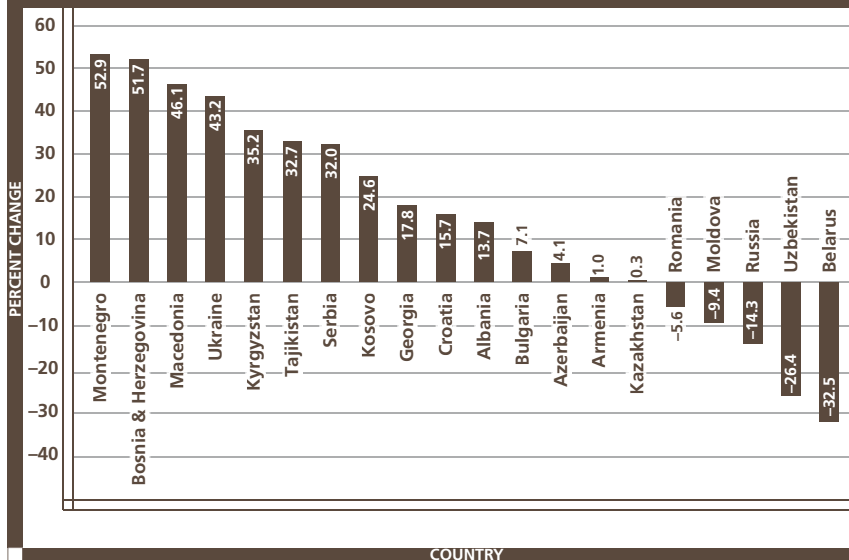


# MOLDOVA AT A GLANCE

## GENERAL

- **Population:** 3,968,071 *October 2004 census www.statistica.md/recensamint/Date\_prel\_Recens\_din2004.doc*
- **Capital city:** Chisinau
- **Ethnic groups (% of population):** Romanians 80%; Ukrainians 8%; Russians 6%; Belorussians 4%; Gagauzians, Bulgarians, others less than 1% *Timpul, April 1, 2005*
- **Religions (% of population):** Eastern Orthodox majority, Baptist, Catholic, Jewish, and others
- **Languages (% of population):** Romanian (official), Russian, Ukrainian, Gagauz (a Turkish dialect), Bulgarian, others
- **GDP:** 29.6 billion lei (US\$2.45 billion) (without Transnistrian region); purchasing power parity: \$7.792 billion *World Bank*
- **GDP/GNI per capita:** Per capita GDP in 2004 (according to preliminary estimates) was 9584 lei (US\$767); purchasing power parity: US\$1,800 *World Bank*
- **Literacy rate (% of total population):** 99.1% *World Bank*
- **President or top authority:** President Vladimir Voronin
- **Next scheduled elections:** Parliamentary March 6, 2005

## MSI AVERAGE SCORES—PERCENT CHANGE 2001–2004



## MEDIA-SPECIFIC

- **Newspaper circulation statistics (total circulation and largest paper):** Largest newspaper is *Flux*.
- **Broadcast ratings (top three ranked stations):** Radio Moldova, Russkoe Radio, Hit FM *Media Audience Survey conducted in October 2004 by IMAS at the request of the Independent Journalism Center*
- **Number of print outlets, radio stations, television stations:** There are 28 national Romanian-language newspapers, of which two are dailies and

two are biweeklies. The rest are weeklies. There are 34 Russian-language newspapers, including four dailies (two published in Moscow) and one biweekly. The government publishes two of the dailies mentioned above—one in Romanian and one in Russian. About 40 local and regional publications exist. In Transnistria, there are seven newspapers. *Moldpres's catalogue of publications at the end of 2004.* There are 40 radio stations (one radio station broadcast by wire) and 167 television stations (51 private and 116 cable operators). *Broadcasting Coordinating Council (BCC) January 2005*

- **Annual advertising revenue in media sector:** NA
- **Number of Internet users:** 150,000 *World Bank*
- **Names of news agencies:** Infotag, Basa-press, Reporter.MD, Moldpres, Infoprim, Interlik, AP Flux, Infomarket, Deca-press

## MEDIA SUSTAINABILITY INDEX: MOLDOVA

